

1 NATIONAL FIRE PROTECTION ASSOCIATION
2 ANNUAL 2013
3 ASSOCIATION TECHNICAL MEETING
4 Wednesday, June 12, 2013
5
6 STENOGRAPHIC REPORT OF PROCEEDINGS
7 had in the above-entitled matter held at the
8 McCormick Place Convention Center, Grand Ballroom,
9 Chicago, Illinois, commencing at 2:02 o'clock p.m.
10 PRESENT:
11 MR. JAMES PAULEY, Chair,
12 Standards Council
13 MR. RICHARD P. OWEN, Member,
14 Standards Council
15 MR. RANDALL BRADLEY, Member,
16 Standards Council
17 MR. DANNY L. McDANIEL, Member,
18 Standards Council
19 MR. JOHN A. RICKARD, Member,
20 Standards Council
21 MS. AMY BEASLEY-CRONIN, Secretary,
22 Standards Council
23 MS. LINDA FULLER, Staff Coordinator
24 MS. MAUREEN BRODOFF, General Counsel

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1 (Whereupon, the following
2 proceedings commenced at
3 2:02 o'clock p.m.)
Page 1

4 MR. OWEN: Good afternoon, Ladies and
5 gentlemen. I'm Richard Owen, and I have the
6 distinct pleasure and privilege of being a member
7 of your Standards Council.

8 I now declare that a quorum exists and
9 convene the 2013 Association Technical Meeting.

10 To assist me is Linda Fuller of the NFPA
11 staff who is serving as staff coordinator. I'd
12 also liked to introduce Amy Beasley-Cronin,
13 Secretary of the Standards Council; Jim Pauley,
14 Chair of the Council; Maureen Brodoff, NFPA general
15 counsel. This session will be recorded by McCorkle
16 Court Reporters of Chicago, Illinois.

17 First, let me address our safety issues.
18 Let's take a minute and note the exits from the
19 room. Please note that the nearest exit may be
20 behind you. Now that you have noticed the closest
21 exit to you, I would like to inform you that the
22 emergency number on the house phones is X6060,
23 6-0-6-0, or 312-791-6060 from cell phones. Do not
24 call 9-1-1 and do not use the elevators.

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1 If there's an emergency requiring an
2 evacuation, an announcement will be made over the
3 public address system and, if necessary, horns and
4 strobe lights will also go off. The fire alarm
5 signal here is a long, slow whoop along with
6 flashing strobe lights followed by a voice
7 announcement. More details can be found under More

8 CNE Information on the mobile app or on Page 4 of
9 the Conference Guide. If you are person with a
10 disability who has not made already arrangements
11 with NFPA for emergency evacuation, please see
12 someone at the registration just outside this
13 ballroom.

14 For your information, both McCormick Place
15 and NFPA are aware of the possibility of bad
16 weather this afternoon. Plans have been made and
17 you'll be informed if we need to implement these
18 plans.

19 As any organization, we have certain rules
20 and protocols. First, the use of video and/or
21 audio recording devices of any type is not allowed
22 during the Association Technical Meeting. I would
23 like to call your attention to the Guide for the
24 Conduct of Participants in the NFPA Codes and

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1 Standards Development process. As a participant of
2 the process, you should be familiar with this
3 Guide.

4 I'd also like to call your attention to
5 the NFPA Convention Rules which set the process to
6 be followed here today. Copies of both documents
7 are contained in the NFPA Standards Directory which
8 is posted on the NFPA Web site with copies also
9 available at the NFPA registration desk.

10 The Certified Amending Motions that
11 comprise the agenda for today's session will be
12 taken in the order as printed in the salmon-colored
Page 3

13 handout entitled Annual 2013 NFPA Association
14 Technical Meeting, Certified Amending Motions.

15 The primary regulations governing the NFPA
16 Codes and Standards Development process, including
17 process of amending motions at the Association
18 Technical Meetings, are the regulations governing
19 committee projects otherwise known as the regs.
20 The regs are also posted on the NFPA Web site and
21 published in the NFPA Standards Directory.

22 I would like to say a few words about the
23 actions that can be taken today and the voting
24 procedures. At this session, you are being asked

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1 to act on certain motions pertaining to Technical
2 Committee reports. The Technical Committee reports
3 on three of these documents, NFPA 801, 1061, and
4 1851 are contained in the 2012 NFPA Fall Revision
5 Cycle Report on Proposals and Report on Comments,
6 the white book. Six documents, NFPA 25, 58, 96,
7 135.02 and 1123 can be found in the 2013 NFPA
8 Annual Revisions Cycle Report on Proposals and the
9 Report on Comments, blue books; and NFPA 70 can be
10 found in the 2013 NEC Annual Revision Cycle Report
11 on Proposals and the Report on Comments. Those are
12 peach-colored books.

13 Under Convention Rules, before a motion
14 can be considered for action at this Association
15 Technical Meeting, the intended maker of the motion
16 must have filed a notice of intention to make a

17 motion, or NITMAM, prior to the published deadline
18 of October 5, 2012, for Fall Revision Cycle
19 documents; April 5, 2013, for Annual 2013 Revision
20 Cycle documents; and May 3rd for the National
21 Electrical Code. These NITMAMS were reviewed by a
22 Motions Committee appointed by the Standards
23 Council chair. The Motions Committee certified
24 those NITMAMS in compliance with NFPA Rules as

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1 Certified Amending Motions and published a Final
2 Motions Committee Report on November 2, 2012, for
3 the Fall 2012 Revision Cycle documents, and May 3,
4 2013, for Annual 2013 Revision Cycle Documents, and
5 May 17, 2013, for the National Electrical Code.

6 Table A of this report, the salmon-colored
7 handout, identified the CAMs for consideration for
8 today. Only Certified Amending Motions, together
9 with certain allowable follow-up amending motions,
10 that is, motions that become necessary as a result
11 of successful Certified Amending Motions, will be
12 allowed at this meeting.

13 There's a further requirement that a
14 person must sign in to indicate they are, in fact,
15 here to pursue their motion. As part of these
16 procedures, statements for the record, that is,
17 statements concerning Technical Committee actions
18 for which no Certified Amending Motion or allowable
19 follow-up motion is available are not permitted.

20 In accordance with Section 4.6.10 of the
21 regs, if a quorum is challenged and found to no

22 longer be present, 100 members, the session will be
23 terminated without further action on the reports.
24 Any reports on documents that have not been acted

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1 on shall be forwarded directly to the Council
2 without the recommendation of this meeting for
3 action in accordance with Section 4.8 of the regs.

4 If a quorum is lost during the
5 consideration of a report, any motions to amend or
6 return that report that have passed prior to the
7 loss of a quorum will be processed and forwarded to
8 the Council in accordance with Sections 4.6 and 4.7
9 of the regs.

10 Any appeal based on action by the
11 Association at this meeting must be filed with the
12 Standards Council within 20 days of this meeting,
13 that is, by July 3, 2013. Any amendment accepted
14 at this meeting that fails to pass the subsequent
15 committee's ballot, an appeal shall be filed no
16 later than five days after the notice of the
17 amendment ballot results are published in
18 accordance with 4.2.5. The results from the
19 amendment ballot will be posted in accordance with
20 4.2.5 typically within 10 to 30 days after the last
21 day of the Association Technical Meeting. Note,
22 however, that if an automatically docketed appeal
23 is not pursued by a party, the Council need not
24 consider it.

1 The votes casts in this Association
2 Technical Meeting today and the discussions that
3 lead to the voting are an integral and important
4 part of the NFPA process. The Association
5 Technical Meeting is the forum where the membership
6 considers changes to the reports prepared by the
7 NFPA Technical Committees concerning proposed or
8 revised NFPA Codes and Standards when such changes
9 are pursued by Certified Amending Motions. Through
10 the motions debate and voting at this meeting, the
11 membership make recommendations to the Standards
12 Council. The Standards Council under the NFPA
13 Rules is the official issuer of all NFPA Codes and
14 Standards.

15 The majority of the vote of the persons
16 present here today is for the sole purpose of
17 making a recommendation of the Standards Council on
18 the disposition of the report. The Standards
19 Council will meet on July 29 to August 1, 2013, to
20 make a judgment on whether or not to issue a
21 document. The Council's decision on document
22 issuance is based on the entire record before it,
23 including discussion and vote taken at this
24 meeting.

1 Limited review followed by action by the
2 Standards Council may also be available through a

3 petition to the Board of Directors. Any such
4 petition must be filed within 15 days of the
5 Council's action in accordance with the regulations
6 governing petitions to the Board of Directors from
7 decisions of the Standards Council. The deadline
8 for notice of such petition is August 16, 2013.

9 With respect to voting procedures, the
10 regs state that voting in NFPA Association Meetings
11 shall be limited to the following: One, those
12 present who are voting members of the Association,
13 that is, with the red badges with "voting" on the
14 top or green badges with "voting tech session only"
15 across the top. If you are not a voting member of
16 record of the Association registered at this
17 meeting, I ask that you refrain from voting. You
18 need not be a member of a NFPA section in order to
19 vote. You must, however, be a voting member.

20 Only voting members of record should be
21 seated in these front areas. Those seated in the
22 back areas will not be counted.

23 Voting will be taken in the following
24 manner: First, there will be no voice votes. The

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1 vote will be taken by using electronic voting
2 devices for voting members. I want to say at the
3 outset that I will not cast a vote; therefore, in
4 the event of a tie vote, the issue automatically
5 fails.

6 Once a report and Certified Amending
7 Motion is presented, it is open for discussion, and
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8 anyone in the room has the privilege of
9 participating. The Chair asks that you preface
10 your remarks with your name and company or
11 organization or affiliation. Let me repeat that,
12 your name and company organization or affiliation
13 should preface your remarks even if you have been
14 to the microphone many times since we are having
15 this meeting transcribed for the record.

16 As you can see, we have red and green
17 signs on the mics in the room. Red signs indicate
18 opposition to a motion on the floor. Green signs
19 indicate support of a motion on the floor. I would
20 also ask that you stand at the appropriate mic and
21 state at the beginning of your remarks whether you
22 are in support or opposition to the motion being
23 debated.

24 Now a couple things to note during the

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1 floor debate today. First, be aware that no one
2 participating in the floor motions in the debate at
3 this meeting is authorized to act as an agent of or
4 speak on behalf of the NFPA. And views expressed
5 during motions and debate, including those
6 expressed on behalf of the NFPA Technical
7 Committees or other entities operating within the
8 NFPA system, do not necessarily reflect the views
9 of the NFPA.

10 Second, a note about NFPA sections. From
11 time to time, the Chair or other representatives of

12 an NFPA section may rise during the debate to state
13 the position of an NFPA section on a motion that is
14 under consideration. NFPA sections are groups of
15 NFPA members organized around particular subjects
16 such as electrical, fire service or health care
17 sections.

18 Under the regulations governing NFPA
19 sections, a section may take a position on an issue
20 on the floor of an Association Technical Meeting.
21 The position of a section does not necessarily
22 reflect the views of all section members. Rather,
23 a section may state a position on a motion if the
24 majority of section members attending a section

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1 meeting have approved that position and there are
2 at least 25 votes cast at the section meeting.

3 The position of a section is accorded no
4 special status in the NFPA Codes and Standards
5 Development process; and just as you would with any
6 other position expressed during the debates today,
7 you, as voting members of the Association, may
8 weigh and assess such positions as you deem
9 appropriate.

10 Given the size of the agenda and the
11 amount of material you have to get through, we will
12 start out with three minutes per speaker. But it's
13 my plan to limit the time as appropriate in the
14 event this becomes necessary. When you have one
15 minute remaining on your allotted time, you will
16 hear a bell sound and a timer that will appear on

17 the middle screen to indicate that you have one
18 minute remaining on your allotted time.

19 The Chair reserves the right to hear any
20 new speaker before yielding the floor to anyone
21 wishing to address the same issue a second time.

22 Motions that are in order, the Certified
23 Amending Motions, are contained in the
24 salmon-colored handout entitled Annual 2013 NFPA

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1 Association Technical Meeting Certified Amending
2 Motions, which are available at the registration
3 desk and at the back of the room today. The
4 motions pertain to the documents contained on
5 Pages 90 and 91 of the Annual Meeting Program.

6 As previously stated, the meeting is
7 conducted in accordance with the NFPA Convention
8 Rules that are available on the NFPA Web site, and
9 there are also copies at the NFPA registration
10 desk.

11 Upon completion of action on all Certified
12 Amending Motions related to an NFPA document, the
13 presiding officer shall entertain any follow-up
14 motions. A follow-up motion is a motion that
15 becomes necessary as a result of a previous
16 successful amending motion. A motion to return a
17 document or to return a portion of a document
18 affected by the previously successful amending
19 motion is always in order as a follow-up motion as
20 long as it's not repetitious.

21 The presiding officer shall make the
22 determination whether a motion is a proper
23 follow-up motion. The maker of the motion shall be
24 required to explain why it is a proper follow-up

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1 motion, and a follow-up motion shall require two
2 seconders.

3 Before we begin today, I would like to
4 address the electronic voting devices that we will
5 be using today. The devices will record your
6 support or lack of support of the motion on the
7 floor.

8 There are few rules I need to make you
9 aware of. All voting members that were issued an
10 electronic voting device are responsible for the
11 device. Each device has been linked to the voting
12 member's name, and if the device is lost or broken,
13 they shall be held responsible for the replacement
14 of that device.

15 Two, at no time can you hand off your
16 device to anyone else to input your vote. Anyone
17 found with multiple units will be asked to leave
18 the Association Technical Session.

19 And, three, you must return your device to
20 the NFPA staff manning the table at the back of the
21 room as you leave the meeting today.

22 All right. Now we're going to test the
23 system. I'm going to ask for a vote on a motion,
24 and I want everyone to vote either 1 in favor of

1 the motion or accept or 2, opposed to the motion,
2 reject. I will give you 10 seconds to vote, and
3 then I will give a 5 second warning indicating the
4 ballot will be closing. I will then announce the
5 balloting is closed and the results will be
6 displayed on the middle screen behind me. Ready?

7 The motion on the floor is to accept
8 Comment 101-20. Please record your vote, 1 in
9 favor of the motion, accept or 2, oppose to the
10 motion. Go ahead.

11 Balloting will be closed in 5 seconds.
12 Balloting is closed.

13 The results will be displayed on the
14 middle screen as you see, for everyone to see, and
15 they are 109 in favor, 84 against. The motion has
16 failed or passed -- pardon me, has passed. Now we
17 know the devices work.

18 Finally, I would like to stress that the
19 rules that we are operating under today are
20 designed to improve the efficiency and the quality
21 of the Association Technical Meeting by eliminating
22 the need to present uncontested documents by giving
23 you, the NFPA membership, advanced notice of the
24 amending motions agreed to be presented and by

1 giving me, as presiding officer, greater discretion
2 in managing the debate to ensure that the issues

3 are as fully debated as possible in the available
4 time.

5 It is my hope and expectation that
6 together we'll make this Association Technical
7 Meeting a success. I thank you in advance for your
8 cooperation and patience, and when we are done,
9 your comments and suggestions for the future.

10 Also, we will be taking comfort breaks as
11 necessary. One last housekeeping issue, for anyone
12 who used the coat check stand that is on Level 1
13 behind the Hyatt McCormick and McCormick Place,
14 this coat check stand will be closing at 5 p.m.
15 today. So make sure you pick up your belongings
16 prior to this 5 p.m. closing.

17 At this point before we begin the
18 documents, I would like to introduce Jim Pauley,
19 Chair of the Standards Council, and
20 Amy Beasley-Cronin who will present a Special
21 Achievement Award and Committee Service Awards.
22 Thank you, Jim and Amy.

23 CHAIR PAULEY: Thank you, Mr. Owen. The
24 Special Achievement Award is presented to recognize

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1 significant contribution of a committee member to a
2 single project that has enhanced the NFPA Codes and
3 Standards-making process. We have three Special
4 Achievement Awards that will be presented today.

5 The first award goes to William Peterson.
6 I would ask Bill if he would please join me here at

7 the podium.

8 MS. BEASLEY-CRONIN: William Peterson of Plano,
9 Texas, serves on several NFPA Technical Committees,
10 including the Technical Correlating Committee on
11 Professional Qualifications since 1990 and Chair
12 since 2009; Technical Committees on Fire Inspector
13 and Plan Examiner Professional Qualifications since
14 1984, and Chair from 1990 to 2000; Fire Service
15 Organization and Deployment from 1995 to '98; and
16 Fire Service Training since 1977 and Chair from
17 2001 to 2011.

18 Bill earned the Committee Service Award in
19 2001 and was also a member of the NFPA Standards
20 Council from 1993 to 1998. Bill was a member of
21 the Board of Directors' Committee on the Policy and
22 Lamb Award from 1996 to 1999. He's also been a
23 member of the Technical Committee on Fire Service
24 Training for over 35 years. And during Bill's

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1 tenure, this Technical Committee has doubled the
2 number of documents they process. They are
3 currently working on one new document and updating
4 another standard.

5 Bill's leadership and knowledge of the
6 process and training has been beneficial to the
7 committee and to NFPA.

8 CHAIR PAULEY: This award not only recognizes
9 Bill's leadership and personal contributions to the
10 Fire Service Training project, but also his efforts
11 with the many committee projects that Bill's been

12 participating with over the years. Please join me
13 in congratulating Bill on this Special Achievement
14 Award; and, on behalf of the Standards Council, we
15 thank you for your continued dedication to the NFPA
16 Codes and Standards process.

17 (Applause.)

18 CHAIR PAULEY: The next recipient of the
19 Special Achievement Award is Dr. Shane M. Clary.
20 Shane, could you please join me here at the podium?

21 MS. BEASLEY-CRONIN: Shane Clary is with the
22 Bay Alarm Company in Pacheco, California. He
23 serves on several NFPA Technical committees,
24 including the Technical Correlating Committees on

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1 Signaling Systems for the Protection of Life and
2 Property from 2003 to 2013 and three of its
3 Technical Committees; the Technical Correlating
4 Committee on the Life Safety Codes since 2007;
5 Building Construction and Safety Code on Building
6 Systems since 2000; the NEC Code-Making Panel 3
7 since 2003; Premises Security since 2001; Fire Code
8 Committee since 2005; Cultural Resources since
9 2006; Fire Risk Assessment Methods since 2010;
10 Commissioning and Integrated Testing since 2007.
11 Shane was also a member of the NFPA Standards
12 Council from 2006 to 2011.

13 Shane's dedication to NFPA and its
14 Standards Development process is illustrated by his
15 contributions on a wide range of topics from Life

16 safety and building code to fire alarm systems, the
17 NEC, and his former participation on the Standards
18 Council.

19 He is especially being acknowledged today
20 for his commitment and dedication to the
21 development and implementation of the new NFPA
22 Standards process.

23 CHAIR PAULEY: This award certainly recognizes
24 Shane's leadership and personal contributions with

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1 the long list of committees as Amy read that he
2 participates on, but certainly also his efforts on
3 the new process and the new process development and
4 rewriting. Please join me in congratulating Shane
5 on his Special Achievement Award.

6 (Applause.)

7 CHAIR PAULEY: Shane, on behalf of Standards
8 Council, we thank you for your continued dedication
9 to the NFPA Codes and Standards process.

10 Our last recipient of the Special
11 Achievement Award is Joseph Jardin, who
12 unfortunately could not be with us this here today,
13 but we do want to acknowledge and thank him for his
14 service.

15 MS. BEASLEY-CRONIN: Joe Jardin of the New York
16 City Fire Department, New York, serves on several
17 NFPA Technical Committees including the Life
18 Safety, Building Construction, and Safety Code
19 Technical Committees; the Technical Correlating
20 Committee on Building Construction and Safety Code

21 since 2000; the Life Safety Code since 2009; Life
22 Safety Code Technical Committee on Alternative
23 Approaches to Life Safety from '91 to 2004. Joe
24 has also been a member of the NFPA Standards

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1 Council from 2005 to 2011.

2 Joe's dedication to NFPA and the NFPA
3 Standards Development process is also illustrated
4 by his contributions for life safety and building
5 code projects and as a member of the Standards
6 Council. He's especially being acknowledged today
7 for his former participation on the Standards
8 Council and for his commitment and dedication to
9 the development and implementation of the new NFPA
10 Standards process.

11 CHAIR PAULEY: Please join me in congratulating
12 Joe on his Special Achievement Award.

13 (Applause.)

14 CHAIR PAULEY: So this concludes our Special
15 Achievement Awards. We will now move on to the
16 Committee Service Awards.

17 The Committee Service Award is given to a
18 Technical Committee member for continuous and
19 exemplary service on one or more committees over a
20 substantial period of time and in recognition and
21 appreciation of distinguished service to NFPA and
22 the development of NFPA Codes and Standards.

23 I am pleased to present this award today
24 to the following very deserving individuals. Our

1 first recipient of the Committee Service Award is
2 James B. Biggins. James, could you please join me
3 here at the podium?

4 MS. BEASLEY-CRONIN: James Biggins of Global
5 Risk Consultants Corporation in Manhattan,
6 Illinois, serves on many Technical Committees
7 including the Technical Committee on Internal
8 Combustion Engine since '92 and the Chair from '93
9 to 2003; the Technical Committee on Fire Protection
10 for Nuclear Facilities from 1990 to 2011; the
11 Automatic Sprinkler Systems Correlating Committee
12 since 2006 and some of its Technical Committees,
13 including Private Water Supply, Piping Systems
14 since '96 and Chair from 2006 to 2010; Hanging and
15 Bracing of Water-Based Fire Protection Systems
16 since '98 and Chair since 2010.

17 CHAIR PAULEY: Please join me on congratulating
18 Jim on his years and service to the NFPA process.

19 (Applause.)

20 CHAIR PAULEY: The next recipient of the
21 Committee Service Award is Lawrence M. Krasner.
22 Larry, could you please join me here at the podium?

23 MS. BEASLEY-CRONIN: Lawrence Krasner,
24 Medfield, Massachusetts, formerly of GM Global,

1 serves on the Technical Committee on Aircraft

2 Rescue and Fire-Fighting since 1973 and Chair from
3 1996 to '97; and the Technical Committee on Airport
4 Facilities since 1975 and Chair from 1982 to 1999.

5 CHAIR PAULEY: Please join me in congratulating
6 Larry on his service to the NFPA process.

7 (Applause.)

8 CHAIR PAULEY: The next recipient of the
9 Committee Service Award is Michael A. Wieder.
10 Michael, could you please join me here at the
11 podium?

12 MS. BEASLEY-CRONIN: Michael A. Wieder of Fire
13 Protection Publications in Stillwater, Oklahoma,
14 serves on the Technical Correlating Committee on
15 Professional Qualifications since 2003 and some of
16 its Technical Committees; the Firefighter
17 Professional Qualifications since 1990; Incident
18 Management Professional Qualifications since 2003
19 as Chair; and Traffic Control Management
20 Professional Qualifications since 2010. In the
21 past, Michael has served on the Technical Committee
22 on Fire Service Training from 2001 to 2004.

23 CHAIR PAULEY: Please join me on congratulating
24 Michael on his award and his service.

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1 (Applause.)

2 CHAIR PAULEY: The last two recipients of the
3 Committee Service Award could not be with us here
4 today, but I do want to thank them and acknowledge
5 their service.

6 MS. BEASLEY-CRONIN: The NFPA committee members
Page 20

7 unable to join us today are Richard W. Carlson from
8 the Okolona Fire Department in Louisville,
9 Kentucky, and Joe Saino of Memphis, Tennessee.

10 CHAIR PAULEY: Let's give them a round of
11 applause as well.

12 (Applause.)

13 CHAIR PAULEY: On behalf of the Standards
14 Council, I would like to again say thank you to all
15 of these individuals for their contribution to the
16 NFPA process.

17 This concludes the awards ceremony for
18 this afternoon, and now we will begin the Technical
19 Session. Thank you.

20 MR. OWEN: Thank you, Jim and Amy. The first
21 report under consideration this afternoon is that
22 of the Technical Committee on Public Safety
23 Telecommunicator Professional Qualifications. Here
24 to present the Committee report is Committee Chair

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1 Jacklyn Kilby-Richards of the Town of Groton
2 Emergency Dispatch, Groton, Connecticut.

3 The Committee report can be found in the
4 white 2012 Fall Revision Cycle ROP and ROC. The
5 Certified Amending Motions are contained in the
6 Motions Committee report and behind me on the
7 screen. We will proceed in the order of the motion
8 sequence number presented.

9 Ms. Kilby-Richards.

10 MS. KILBY-RICHARDS: Good afternoon, everyone.

11 Mr. Chair, Ladies and gentlemen of the Jury, the
12 report of the Correlating Committee on Professional
13 Qualifications and the Technical Committee on
14 Public Safety Telecommunicator Professional
15 Qualifications is presented for adoption and can be
16 found in the Report on Proposals and the Report on
17 Comments for the 2012 Fall Meeting Revision Cycle.
18 The Technical Committee and Correlating
19 Committee has published a report consisting of a
20 partial revision of NFPA 1061 Standard of
21 Professional Qualifications for Public Safety
22 Telecommunicator. The report was submitted to
23 letter ballot of both the Technical Committee that
24 consists of seven voting members and the

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1 Correlating Committee that consists of seven
2 members. The ballot results can be found on
3 Pages 1061-4 to 1061-17 of the Report on Proposals
4 and Pages 1061-2 to 1061-35 of the Report on
5 Comments.

6 The presiding officer will now proceed
7 with the Certified Amending Motion.

8 MR. OWEN: Thank you, Ms. Kilby-Richards.

9 Let's now proceed with the discussion on
10 Certified Amending Motion on NFPA 1061. Would the
11 maker of the motion -- first motion please come to
12 the microphone, please?

13 MS. McDUFFIE: Crystal McDuffie with APCO
14 International, speaking in favor of the motion.
15 Thank you for the opportunity to address the

16 committee. APCO strives for a continued --

17 MR. OWEN: Just one moment, ma'am. We need to
18 have the motion seconded. So we have the motion.

19 Do we have a second? This is to approve 1061-1.

20 Do we have a second?

21 A VOICE: Second.

22 MR. OWEN: We have a motion and a second. Now
23 please proceed.

24 MS. McDUFFIE: Okay. Crystal McDuffie with

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1 APCO International speaking in favor of the motion.
2 Thank you for the opportunity to address the
3 committee.

4 APCO strives for a continued, cohesive,
5 and positive working relationship with NFPA. This
6 proposed change in title to include communications
7 personnel outside of just the telecommunicator
8 position allows for duplication and conflict with
9 existing and/or candidate APCO American National
10 Standards. APCO American National Standards and
11 Canada American National Standards already exist
12 for proposed additional positions identified, core
13 competencies and minimum training standards for
14 training coordinator, supervisor, communications
15 training officer, quality assurance evaluator, and
16 manager director.

17 While APCO and NFPA conducted broad
18 discussions on a number of topical subjects, full
19 collaborative efforts were limited to public safety

20 telecommunicator. Expanding the scope of this
21 document duplicates APCO's scope of standards
22 development. APCO asks that the title be returned
23 to the original title of 1061, Public Safety
24 Telecommunicator.

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1 MR. OWEN: Thank you. Ms. Kilby-Richards,
2 would you like to offer the committee's position,
3 please?

4 MS. KILBY-RICHARDS: Yes, sir. Mr. Chair,
5 ladies and gentlemen of NFPA, over the course of
6 the past several years, the Technical Committee on
7 Public Safety Telecommunicators Professional
8 Qualification has been working to revise the 2007
9 edition of NFPA 1061 Standard for Professional
10 Qualifications for Public Safety Telecommunicator
11 to ensure that persons serving as public safety
12 telecommunication personnel at each level or
13 position within the field have the opportunity to
14 be qualified to a nationally recognized
15 professional qualification standard.

16 This includes the addition of
17 communications training officer, communications
18 supervisor, quality assurance, improvement
19 personnel, communications training coordinator,
20 communications center manager and logistics section
21 communication unit leader.

22 The Technical Committee met in Dallas on
23 June 14 to 15, 2010, for the ROP under the Fall
24 2011 Revision Cycle. While no public comments were

1 -- proposals were received, the Technical Committee
2 refined the three existing chapters and developed a
3 broad range of new chapters consistent with a more
4 inclusive series of positions currently used in
5 telecommunications facilities.

6 The Technical Committee included a
7 representative from the Association of Public
8 Safety Communication Officials International,
9 commonly referred to as APCO, which was a principal
10 member. The ROP ballot results of both the
11 Technical Committee and the Technical Correlating
12 Committee unanimously supported these revisions,
13 but the APCO representative did not return the
14 ballot. The document received several public
15 comments; not one from APCO or its principal
16 representative of the Technical Committee.

17 The Technical Committee met in Denver on
18 March 11, 2011, for the ROC. The TC made 14
19 revisions based on public committee comments. The
20 APCO representative was present for the meeting.
21 The APCO representative to the TC voted to accept
22 the TC's ROC revisions. Almost two months after
23 the ROC ballot, NFPA staff received a letter from
24 APCO regarding NFPA 1061 citing concerns for

1 duplication of standards, scope, and title and
Page 25

2 development process. Staff sent the letter to me.

3 At the June 2011 meeting, I asked the
4 Technical Chair Committee to slip -- Correlating
5 Committee to slip-cycle NFPA 1061 so that APCO's
6 concerns should be addressed in hopes of continuing
7 harmonization and co-branding of the standard. The
8 TCC was balloted and agreed to slip-cycle to Fall
9 2012 Revision of the NFPA 1061 so that the concerns
10 of APCO could be addressed through the submission
11 of public comment. The Standards Council approved
12 the slip-cycle NFPA 1 to the Fall 2012 Revision.

13 MR. OWEN: Ms. Richards, could you complete
14 your comments here? You're done with your time.

15 MS. KILBY-RICHARDS: On behalf of the Technical
16 Committee on Public Safety Telecommunicators
17 Professional Qualifications, I would urge you to
18 support the work of the Technical Committee. I ask
19 for your support on the Committee actions. Thank
20 you for your time, Mr. Chair.

21 MR. OWEN: Thank you, Ms. Kilby-Richards. Now
22 we will open debate on the motion. Please provide
23 your name and affiliation and whether you're
24 speaking in support of or against the motion.

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1 Do we have any speakers? Any further
2 discussion? Any discussion on Motion 1061-1 to
3 accept Comment 1061-2? Ms. Kilby-Richards, any
4 final commentary at all? There wasn't really
5 anything to rebut.

6 MS. KILBY-RICHARDS: I ask the membership to
7 please keep in mind that the majority of the
8 Technical Committee believes that both the
9 challenges to the scope and purpose of NFPA 1061
10 are a result of the uniqueness of the document. If
11 this motion is accepted, the document scope will
12 revert to the current document scope and the entire
13 revised document would be in conflict.

14 I would ask the membership to vote against
15 the motion. Thank you.

16 MR. OWEN: All right. Thank you, Ms. Chair.
17 Before we vote, let me restate the motion. The
18 motion on the floor is to accept Comment 1061-2.
19 Please record your vote, 1 in favor of the motion,
20 accept, or two, opposed to the motion, reject.
21 Please vote now. 5 seconds. The balloting is
22 closed.

23 The results of the vote are 143 to reject,
24 29 to accept. The motion has failed.

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1 Let's now proceed with the discussion on
2 Certified Amending Motion 1061-2. Would the maker
3 of the motion please come and make -- repeat her
4 motion. Microphone 6, please.

5 MS. McDUFFIE: I move that 1061-2 move forward
6 to include accepting Comment 1061-3.

7 MR. OWEN: We have a motion. Now this is a
8 group amending motion on the floor, to accept
9 Comment 1061-3 and accept Comment 1061-4. Is there
10 a second?

11 A VOICE: Second.

12 MR. OWEN: I hear a second. Please proceed
13 with your discussion on the motion.

14 MS. McDUFFIE: Crystal McDuffie, APCO
15 International, speaking in favor of the motion.

16 In addition to my previous comments
17 regarding duplication of existing APCO American
18 National Standards, our intention is to assist with
19 the original agreed-upon path which was decided at
20 the first joint meeting of APCO Standards
21 Development, APCO Call Center Standards, and NFPA
22 1061 Leadership and Staff which took place in
23 February of 2009 in Orlando, Florida.

24 The goal from that meeting was to align

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1 1061 and public safety telecommunicator minimum
2 training standards to complement each other. It
3 was agreed that APCO would take the lead on the
4 training for telecommunicators and NFPA would
5 maintain the qualifications piece and scope of
6 1061.

7 APCO believes it is also important to
8 recognize that conflicting or duplication standards
9 create confusion for the public safety
10 communication centers that both of our memberships
11 serve. APCO requests that NFPA return the scope
12 and purpose of 1061 to its original scope and
13 purpose and reference APCO ANS for position
14 qualifications outside those for public safety

15 telecommuni cator.

16 MR. OWEN: Thank you. Ms. Ki l by-Ri chards,
17 would you l ike to offer the commi ttee' s posi ti on on
18 thi s?

19 MS. KILBY-RICHARDS: I ask that the membership
20 understand that thi s moti on goes beyond returning
21 the document to i ts original text. It eli mi nates
22 existi ng text to the current document referenced in
23 Chapter 4 and creates a new topic, Public Safety
24 Call -Taker. Wi th no job performance requirements

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1 or JPRs, the TC was i ntentional i n i ts endeavors to
2 take a global or uni versal approach when addressing
3 Public Safety Telecommuni cator I rather than a
4 l i mi ti ng ti tle.

5 The TC stands by i ts work to establish a
6 professi onal quali fi cati ons sty le document whi ch i s
7 uni que ly wri tten to JPR format. The changes and
8 del eti ons requested by the submi tter would render
9 the chapter unusable by the end user.

10 I would ask the membership to vote against
11 the moti on. Thank you.

12 MR. OWEN: Thank you, Ms. Ki l by-Ri chards. Wi th
13 that, we wi ll open up debate on the moti on. Please
14 provide your name and affi li ati on and whether
15 you' re speaki ng i n support of or against the
16 moti on. Mi crophone 3, please.

17 MR. HIRSCHLER: Marcel o Hi rschl er,
18 GBH Internati onal. I' m standi ng at a mi c that says
19 for the moti on, but I don' t know. I mean I thi nk

20 this issue is an issue that goes beyond the
21 membership. It's an issue of correlation between
22 standards development organizations, and I would
23 recommend that the Standards Council deal with this
24 by addressing the APCO organization and getting an

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1 agreement on whose jurisdiction it is.

2 Apparently, the APCO standards and
3 American National Standard, I'm assuming, are also
4 an American National standard. The debate, whether
5 the scope is right, whether we are encroaching into
6 someone else's purview is way beyond what the
7 membership here can discuss.

8 So I think this is something that needs to
9 be addressed by the Board or Standards Council and
10 in conjunction with the other standards of the
11 organization. Thank you.

12 MR. OWEN: Thank you for your input. Is there
13 any discussion? Any further discussion on Group
14 Amending Motion 1061-2 to accept Comment 1061-3 and
15 1061-4? Seeing none, we'll move to a vote.

16 I'm sorry, Ms. Chair. Did you have
17 anything further on that? I apologize.

18 MS. KILBY-RICHARDS: I would ask the membership
19 to vote against the motion and stand by the work of
20 the Technical Correlating -- Technical Committee.
21 Thank you.

22 MR. OWEN: Thank you, Ms. Chair. Before we
23 vote, let me restate the motion. The group --

24 I'm sorry, sir.

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1 MR. DUNCAN: Just a question. You said 3 and
2 4. Are we voting on two motions at one time?

3 MR. OWEN: Yes, it's a Group Amending Motion.
4 They grouped those two together. It's Comment
5 1061-3 and 1061-4. Those are grouped together.
6 The Group Amending Motion on the floor is to accept
7 Comment 1061-3 and accept Comment 1061-4.

8 Please record your vote, 1 in favor of the
9 motion to accept or 2 to oppose the motion, reject.
10 5 seconds. Okay.

11 Balloting is closed. Results are on the
12 screen. 149 reject, 23 accept. The motion has
13 failed.

14 Let's now proceed with discussion on
15 Certified Amending Motion 1061-3. Microphone 6,
16 please. Please identify yourself and make your
17 motion.

18 MS. McDUFFIE: Crystal McDuffie with APCO
19 International. APCO does not wish to pursue
20 Motions 3 through 17 and would like to move forward
21 with Motion 18.

22 MR. OWEN: All right. Just so it gets on the
23 record. You do not want to pursue which numbers
24 again?

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1 MS. McDUFFIE: Motions Number 3 through 17.

2 MR. OWEN: Motions 3 through 17 and proceed to
3 18. Since they are the makers of these motions,
4 this is proper. Bear with me for a moment, please.
5 Is everybody ready? That was quite a jump.

6 Let's proceed with the discussion on
7 Certified Amending Motion 1061-18. Microphone 6,
8 again, please. Identify yourself and state your
9 motion.

10 MS. McDUFFIE: Crystal McDuffie with APCO
11 International. APCO makes a motion to return the
12 document to allow for collaboration.

13 MR. OWEN: All right. Thank you. There's a
14 motion on the floor to return the entire report.
15 Is there a second?

16 A VOICE: Second.

17 MR. OWEN: I heard a second. Please proceed
18 with your discussion on the motion.

19 MS. McDUFFIE: Approving the revision of 1061
20 allows for duplication and conflict of existing
21 standards either at the time of writing or at the
22 time of future revisions. By allowing this, both
23 memberships will be impacted, not only fire and EMS
24 agencies, but law enforcement and emergency

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1 management operations centers as well.

2 The very intent of a national standard is
3 that the public safety communications industry can
4 look to one nationally accepted and accredited
5 document for guidance on the various aspects of the

6 critical services they provide.
7 APCO has agreed to work collaboratively
8 with NFPA to support the public safety
9 communications providers and users. It is the goal
10 of APCO to work with NFPA and all other
11 associations and like organizations to fashion
12 standards which provide all disciplines of the
13 public safety community with solid and universally
14 accepted practices. We must also consider any
15 associated training that may need to be developed
16 based upon these standards and associated
17 liability.

18 APCO has invested numerous hours of
19 broad-based research into our standards. With
20 direct access to over 15,000 subject matter
21 experts, our occupational analysis process is
22 conducted nationally to ensure that we are not
23 limited by geographical area.

24 It should also be noted that the APCO

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1 representative on the NFPA Technical Committee
2 expressed concerns that the change and scope of
3 1061 was in direct conflict with the ANSI-approved
4 scope of APCO. This representative continued to
5 express concerns of duplication and conflict of
6 standards.

7 By returning 1061 to its original version,
8 you provide time for further collaboration and a
9 cohesive effort between our two organizations to

10 ensure that all disciplines of public safety
11 communications are provided with solid,
12 nonconflicting standards. APCO is committed to
13 supporting and promoting public safety
14 communications.

15 On behalf of APCO International and the
16 APCO Standards Development Committee, I thank you
17 for your time and consideration of our position to
18 bring resolution to the alignment process for 1061.

19 MR. OWEN: Thank you. Ms. Kilby-Richards,
20 would you like to offer the Committee's position on
21 this?

22 MS. KILBY-RICHARDS: Yes, sir. I would ask the
23 membership to vote against this motion. To return
24 the document would not be beneficial to the end

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1 user who has waited an extended period of time for
2 this document to be issued. If returned, it could
3 be as much as three or more years added onto the
4 revision Cycle before the telecommunications
5 community sees this document. Coupled with the
6 original revision Cycle and the slip-cycle, the
7 document could be eight to ten years in revision.

8 With the process already, the Technical
9 Committee has worked to ensure that persons serving
10 as public safety telecommunications personnel could
11 be qualified to a nationally recognized standard
12 through NFPA. I don't see a majority of the
13 Technical Committee members willing to revert to
14 the 2007 text.

15 Our goal from the 2011 ROP phase was to
16 revise NFPA 1061 to a grade where it was already
17 part of a quality document and develop a broad
18 range of new chapters consistent with a more
19 inclusive series of positions and levels currently
20 used in communications facilities. We feel that we
21 have accomplished that goal.

22 Our sister standards development
23 organization was represented at all phases of the
24 original revision Cycle from ROP to ROC, worked on

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1 many of these revisions and balloted on them. It
2 wasn't until after the Technical Committee ROC
3 ballot was processed that leadership at APCO sent
4 its letter of concerns to the NFPA staff. The TC
5 and CC made recommendations, while unusual, to
6 slip-cycle the process.

7 There is a difference in how NFPA 1061 and
8 APCO documents are used. NFPA 1061 is a
9 professional qualifications document designed to
10 identify the minimum job performance requirements
11 of public safety telecommunications personnel
12 uniquely written in JPR format to distinguish tasks
13 used to qualify individuals for levels and
14 positions within the public safety
15 telecommunications community. NFPA 1061 is not an
16 organizational training or certification document.

17 On behalf of the majority of the Technical
18 Committee on Public Safety Telecommunications

19 Professional Qualifications, I would ask you to
20 support the Committee actions. Once again, I would
21 ask the membership to vote against this motion. I
22 thank you for the time, Mr. Chair, and to the NFPA
23 members for listening.

24 MR. OWEN: Thank you, Ms. Kilby-Richards.

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1 With that, we'll open up debate on the
2 motion. Please provide your name and affiliation
3 and whether you're speaking in support of or
4 against the motion. Microphone 4, please.

5 MR. PETERSON: Thank you, Mr. Chair.
6 William Peterson, Chair of the Professional
7 Qualifications Correlating Committee speaking
8 against the motion.

9 As Chair of the Correlating Committee, we
10 spent many hours and many months and years with
11 this issue trying to work with APCO. We do not
12 believe that the work of the Technical Committee
13 duplicates what APCO is doing. We believe it
14 complements the training that they deliver to
15 telecommunications personnel.

16 We also believe that adoption of this
17 standard will open up an additional market for APCO
18 by allowing Department of Defense personnel to
19 participate in APCO training delivery in the field
20 as they are mandated to be certified to a national
21 consensus standard.

22 So as Chair of the Correlating Committee,
23 I would urge members present to support the

24 Technical Committee and vote against this motion.

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1 Thank you.

2 MR. OWEN: Thank you. Microphone 6, please.

3 MS. McDUFFIE: Crystal McDuffie with APCO
4 International. I would like to remind the voting
5 body that APCO American National Standards
6 currently exists for the positions being discussed.

7 MR. OWEN: I'm sorry. I should have asked you,
8 would you state your name and whether you're for
9 against the motion for the record.

10 MS. McDUFFIE: Crystal McDuffie, APCO
11 International, and for the motion.

12 I just want to remind the membership that
13 APCO currently holds American National Standards
14 for the positions that we are discussing within
15 NFPA 1061. APCO standards exist for the positions
16 of training coordinator, supervisor, communications
17 training officer, quality assurance evaluator, and
18 manager director.

19 I would ask for your support in the motion
20 to return this document to its original version,
21 and while I understand that that will take some
22 time to accomplish, it will allow a more quality
23 document to be produced with collaborative efforts
24 between APCO and NFPA.

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1 MR. OWEN: Thank you. Is there any further
2 discussion on Motion 1061-18 to return the entire
3 report? Microphone 6. Please state your name and
4 whether you are for or against the motion.

5 MR. VANAUKEN: Gordon Vanauken, Vice Chair of
6 the APCO Standards Development Committee. I'm in
7 favor of the motion.

8 I just want to clarify, because one of the
9 things that was said or seem to be said was that
10 the APCO standards are strictly training standards.
11 That is correct for the public safety
12 telecommunicator standard only. The remaining
13 standards are qualifications and training
14 standards, and that's why they conflict with the
15 new roles that are being put out there.

16 MR. OWEN: Okay. Thank you. Is there any
17 further discussion on the floor? Ms. Chair, any
18 final brief remarks?

19 MS. KILBY-RICHARDS: I would just like to
20 remind the Committee that we follow the JPR format
21 for standards for the NFPA, and I urge you to vote
22 against the motion.

23 MR. OWEN: Thank you. Before we vote, let me
24 restate the motion. The motion on the floor is to

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1 return the entire report. Please record your vote,
2 1 in favor of the motion to accept or 2, oppose the
3 motion to reject. Five seconds.

4 Balloting is closed. The results of the

5 vote are 136 to reject, 37 to accept. The motion
6 has failed.

7 Is there any further discussion on NFPA
8 1061? Seeing none, we'll move on to the next
9 document. Thank you, Madam Chair, for your help.

10 MS. KILBY-RICHARDS: Thank you.

11 MR. OWEN: Next report under consideration is
12 that of the Technical Committee on Structural and
13 Proximity Fire-Fighting Protective Clothing and
14 Equipment. Here to present the Committee report is
15 Correlating Committee Chair William Haskell of
16 National Institute for Occupational Safety and
17 Health, Andover, Massachusetts.

18 The Committee report can be found in the
19 white 2012 Fall Revision Cycle ROP and ROC. The
20 Certified Amending Motions are contained in the
21 Motions Committee report and behind me on the
22 screen. We'll proceed in the order of the motion
23 number presented. Mr. Haskell?

24 MR. HASKELL: Thank you. Mr. Chair, Ladies and

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1 gentlemen, the report of the Technical Committee on
2 Structural and Proximity Fire-Fighting Protective
3 Clothing and Equipment and the Correlating
4 Committee on Fire and Emergency Services Protective
5 Clothing and Equipment is presented for adoption
6 and can be found in the Report on Proposals and the
7 Report on Comments for the 2012 Fall Meeting
8 Revision Cycle.

9 **The Technical Committee and Correlating**

10 Committee has published a report consisting of a
11 partial revision to NFPA 1851 Standard on
12 Selection, Care, and Maintenance of Protective
13 Ensembles for Structural Fire-Fighting and
14 Proximity Fire-Fighting. The report was submitted
15 to a letter ballot of the Technical Committee that
16 consists of 34 voting members and to the
17 Correlating Committee that consists of 21 voting
18 members. The ballot results can be found on
19 Pages 20-2 to 20-66 of the Report on Proposals and
20 on Pages 20-2 to 20-35 of the Report on Comments.

21 The presiding officer will now proceed
22 with the certification amending motion.

23 MR. OWEN: Thank you, Mr. Haskell. Let's now
24 proceed with discussion on the Certified Amending

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1 Motion on NFPA 1851. Microphone 3, please. Please
2 identify yourself and make your motion.

3 MR. NICHOLS: Daniel Nichols, Fire Chief,
4 Roosevelt Fire District, Hyde Park, New York,
5 moving Motion 1851-1.

6 MR. OWEN: There's a motion on the floor to
7 accept Comment 1851-32 and related proposal
8 1851-33. Is there a second?

9 A VOICE: Second.

10 MR. OWEN: I hear a second. Please proceed
11 with your discussion.

12 MR. NICHOLS: Thank you. Daniel Nichols, Fire
13 Chief, Roosevelt Fire District, Hyde Park, New

14 York.

15 Last Cycle, Standard 1851 was revised to
16 add a mandatory retirement of ten years to
17 components of a firefighter's protective envelope,
18 helmet, coat, pants, boots, gloves, protective
19 hoods. In that substantiation, it was majorly
20 based upon textile degradation and damage that has
21 incurred over the life span of textile products,
22 mainly coats and pants.

23 There was very little substantiation given
24 for fire helmets which are made normally of

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1 polycarbonate plastic materials and sometimes
2 leather materials.

3 The proposal that I'm seeking for your
4 approval today is to add an alternative way for an
5 authority having jurisdiction to give a specific
6 retirement protocol based upon maintenance records
7 as well as use.

8 In our fire district, we buy fire helmets
9 once a year during budget times. We're a volunteer
10 department of approximately 120 members, and we
11 have to take a good guess how many helmets we need
12 for the coming year. So let's say we ordered
13 15 helmets. I only get 11 volunteers that come in.
14 So since it's based on ten years from the date of
15 manufacture, those helmets now sit in a box in
16 their warehouse until the following year when,
17 hopefully, I get four or five more members to use
18 them.

19 Now those 11 members that I brought in,
20 maybe four or five of them go away, and now those
21 helmets sit inside the rack inside the closet,
22 again, still ticking away at a requirement that has
23 no true technical substantiation.

24 I'm not saying that helmets don't have a

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1 life span. What I'm saying is that the ten years
2 that's attached to it is not correlated with the
3 materials that are found in textiles versus
4 polycarbonate, leather, whatever else helmets are
5 made of these days.

6 We need some research on this topic, and
7 this really becomes a cart before the horse or
8 horse before the cart type of conversation. We
9 have ten years in the Code now, and maybe it was
10 made for everything, maybe it wasn't. I don't
11 think it was.

12 If you read the annexed information on the
13 topic, it's pretty clear. Because it uses the term
14 -- Annexed 10.1.2 reads, "After discussion of the
15 concept of the mandatory requirement protective
16 elements, the consensus of the Technical Committee
17 led by the fire service segment is that the life of
18 a turnout suit is less than ten years." Turnout
19 suit. That's not a helmet. That's not boots.
20 That's coats and pants.

21 So I really think what the Committee was
22 trying to get at in the last Cycle was for the

23 textile materials, not for the helmets. I would
24 urge you to take a look at the motion language and

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1 that we offer support -- an alternative path based
2 upon local conditions. If you're a busy
3 department, it's going to work. If you're not,
4 it's going to work, too. Thank you for your time.

5 MR. OWEN: Thank you. Mr. Haskell, would you
6 like to offer the Committee's position?

7 MR. HASKELL: Yes. The Technical Committee has
8 12 voting fire service representatives. Of the
9 34 eligible voting members, 28 voted affirmative of
10 all. Four did not return ballots. Only one
11 negative vote with comment was related to this
12 retirement ten-year retirement as applied to fire
13 helmets. That firefighter's comments was that
14 there was no scientifically validated methodology
15 for the test of firefighter helmet performance and
16 degradation.

17 The Committee agrees with that. The only
18 tests that have been brought to our attention are
19 destructive tests for testing the performance and
20 degradation of helmets. There have not been any
21 nondestructive tests presented to the Committee.

22 The Technical Committee has had
23 considerable discussion on the retirement of all
24 types of PPE addressed by this standard; clothing,

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1 booth, gloves, hoods, and helmets. It is the
2 feeling of the members of the Committee and the
3 fire service representatives that the ten-year
4 retirement supports firefighters not continuing to
5 wear older technology and worn-out life safety
6 equipment. The ten-year retirement has had a
7 positive impact on the quality and the condition of
8 the protective equipment.

9 The Correlating Committee had zero
10 negative ballots on this 1851 standard. They were
11 all affirmative.

12 The Technical Committee agrees that more
13 research is needed. It has requested that the Fire
14 Protection Research Foundation support a future
15 project to better define how to test the
16 performance and degradation of helmets; but until
17 that time, it is the feeling of the Technical
18 Committee that the ten-year requirement supports
19 the occupational health and safety of the
20 firefighters.

21 MR. OWEN: Thank you, Mr. Haskell. With that,
22 we'll open up debate on the motion. Please provide
23 your name and affiliation, whether you're speaking
24 in support of or against the motion. Microphone 4,

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1 please.

2 MR. BRINKLEY: My name is Jim Brinkley,
3 representing the International Association of
4 Firefighters, and I rise to speak against this

5 motion.

6 The IAFF represents nearly 300,000
7 firefighters across North America. We've been
8 involved in just about every health and safety
9 initiative over the last 90 years, many of which
10 deal with the research and innovation related to
11 personnel protective equipment.

12 Our representative on this Committee noted
13 that the Committee reviewed these changes and
14 considered them extensively in their discussions,
15 also as pointed out in Mr. Haskell's comment. In
16 the end, it voted to support the existing
17 requirements.

18 We also agreed with the Committee's
19 comments that the ten-year period covers two
20 revision cycles, and that incorporates enough
21 significant changes to warrant the existing
22 requirements.

23 Number two, that there is still no
24 scientifically validated test to support modifying

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1 the current replacement criteria in the standard;
2 and, third, until a nondestructive test or
3 evaluation method can conclusively and reliably
4 determine that the PPE meets the performance
5 requirements in place at the time of manufacture,
6 we must support the existing criteria.

7 As Mr. Haskell noted, there was one
8 negative vote from the Technical Committee

9 regarding this change; and it should be noted that
10 in those comments, that Technical Committee member
11 referenced the National Athletic Equipment
12 Reconditioning Association's Policy on Testing
13 Athletic Helmets. Recently, they changed that
14 criteria beginning with the 2012 football season
15 stating that they will no longer recondition or
16 certify any helmet ten years of age or older.

17 While sensitive to the economic impact
18 described by the maker of the motion, we must never
19 let the economic consequences put our members at
20 risk. Over one million firefighters in this nation
21 rely on us to develop these standards and develop
22 this criteria to protect them. I urge the members
23 here to vote in support of the Technical
24 Committee's actions and against this motion. Thank

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1 you, Mr. Chairman.

2 MR. OWEN: Thank you. Again, Microphone
3 Number 4, please.

4 MR. REIDY: Good afternoon, Mr. Chairman. I
5 rise against the motion. My name is Jim Reidy.
6 I'm a lieutenant in the San Antonio Fire
7 Department. 25 years on the job. I chair the fire
8 department's PPE Committee, and ultimately I am an
9 end user. I'm also a member of the Structural
10 Proximity Committee and the 1851 Committee. I am
11 one of the fire service members on this Committee.

12 I would like to speak to the
13 substantiation. Helmet materials such as Kevlar

14 and Fiberglass are susceptible to UV degradation.
15 They degrade. Helmets are also susceptible to
16 thermal degradation, and the engineers tell us that
17 for every thermal hit a helmet takes, it degrades.

18 On the motion that Chief Nichols makes,
19 10.1.2 and 10.1.3 identify garments, gloves, and
20 hoods, but do not identify fire-fighting boots.
21 This omission will exclude fire-fighting and
22 proximity boots from the ten-year retirement cycle.
23 In 10.1.4.1, it only specifies ear coverage to be
24 retired after ten years. The omission will exclude

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1 the harness, the padding, the chin strap, and the
2 face shield from the ten-year retirement.

3 I can tell you for a fact that the
4 firefighters on this Committee, the fire caucus,
5 the fire service section, whatever you want to call
6 us, are concerned about having more than ten years
7 for any piece of our equipment.

8 The Technical Committee with the available
9 research technical input and substantial discussion
10 determined that the ten-year retirement for all
11 fire-fighting and proximity PPE helmets, including
12 helmets, is in the best interest of the health and
13 safety of the firefighters of this country.

14 I would ask you to please support the
15 Technical Committee and the firefighters, the line
16 firefighters on this Committee that went along and
17 decided to keep the ten-year retirement cycle.

18 Thank you.

19 MR. OWEN: Thank you. Microphone 3, please.

20 MR. GLASS: Thank you very much. My name is
21 Bill Glass. I'm an attorney in private practice
22 representing the volunteer fire service in New
23 York. I'm speaking in favor of this motion. Thank
24 you. I also happen to be a volunteer firefighter

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1 myself for the last 40 years, and I speak with that
2 background as well.

3 Something I believe that a lot of the
4 people who will be voting on this motion don't have
5 is that type of background. I'm willing to bet
6 that a majority of the people voting on this motion
7 today have never worn a firefighter helmet or at
8 least not under fire-fighting conditions. And to
9 that end, I ask you to think about this from a
10 couple of perspectives.

11 One is, of course, the cost. The cost is
12 prohibitive. Many of these helmets cost in excess
13 of \$400 each. They do -- as was described by the
14 motion-maker, they're ordered and they sit on
15 shelves. We have members in the volunteer service
16 in particular who are students who sometimes take
17 student leave, who go away for long periods of
18 time, and their helmet sits on a rack. It is not
19 being subjected to anything including UV rays
20 because they're actually in firehouses.

21 If you look at the seat material next to
22 you, you'll notice it's probably stained in some

23 places. I know mine was. I doubt that seat is
24 going to last ten years. But if you look at the

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1 speakers that are in a hard shell case, I ask you,
2 would you throw them out after ten years? If you
3 turn it on and it works, I doubt it.

4 What we're talking about here is a hard
5 piece of equipment, a piece of equipment that is
6 not textile based. And here's the last point which
7 I ask all of you to consider very strongly. We're
8 all in agreement, the Chairman and the Committee,
9 everyone, that there really is no science studying
10 this issue.

11 So the NFPA's response is to arbitrarily
12 make up a time-line? That's just absurd. That's
13 bad science. That's not how this system is
14 supposed to work. Come back when you have the
15 science and then issue the standard. Thank you.

16 MR. OWEN: Thank you. Any further discussion?
17 Microphone 3. Please, again, state your name.

18 MR. NICHOLS: Thank you. Daniel Nichols,
19 Roosevelt Fire District.

20 MR. OWEN: And whether you're supporting the
21 motion for the record, please.

22 MR. NICHOLS: And I'm supporting the motion.
23 Thank you.

24 To the point for those who, again, aren't

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1 wearing fire equipment, mandatory requirement
2 dates, go through the NFPA standards process, all
3 the standards, how many mandatory dates from the
4 date of manufacture are you finding? And the ones
5 that you have found, think about the substantiation
6 that was made to make those enter our Codes, the
7 Standards.

8 The one that comes to mind for me is
9 sprinkler retirement. Sprinkler head retirement,
10 50 years, and then there's an option after that to
11 do a sample test. A lot of work went into
12 determining how that would enter into the
13 inspection of sprinkler systems. There's not many
14 others out there, and I implore you to find that.
15 I think the only one I can think of is fire hose
16 off the top of my head which is 25 years.

17 Positive effect. Our budget and our fire
18 department, we're a taxing entity. Our budget,
19 one-half of my equipment budget is spent on
20 replacing fire gear that is ten years old for no
21 other reason than because it's ten years. That's
22 the fuel for the fire truck. That's the hose.
23 That's new bailout systems for firefighter safety.
24 That's training props. That's everything else that

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1 you would have to balance against a ten-year
2 requirement versus every other thing I can do to
3 better my firefighters and emergency medical

4 responders on fire trucks and ambulances. That's a
5 big number. We're looking in the range of 25 to
6 \$30,000 a year of spending for equipment that has
7 sat in closets for, some of it, a majority of its
8 life just to meet a standard that doesn't have
9 testing behind it.

10 For nondestructive testing, I ask you, any
11 other code that's out there, you have inspection
12 testing and maintenance requirements. You test
13 something. When it's broken, you fix it. When
14 it's too broken, you get rid of it. This would say
15 that at the magic day of ten years after it was
16 made, no matter when you purchased it, no matter
17 when you put it in service, it automatically comes
18 out of service for no reason.

19 I ask for your support of this and thank
20 you for listening.

21 MR. OWEN: Thank you. Is there any further
22 discussion on the floor on Motion 1851-1 to accept
23 Comment 1851-32 and related proposal 1851 -33?
24 Microphone 6, please.

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1 MR. DUNCAN: Yes. Ken Duncan, Performance
2 Design Technologies. I find here a dilemma --

3 MR. OWEN: I'm sorry, sir. Could you say
4 whether you're in favor of the motion or not?

5 MR. DUNCAN: I'm speaking in support of the
6 motion.

7 MR. OWEN: Thank you.

8 MR. DUNCAN: I find it frequently in our

9 standards process that we have information put in
10 the standards that we didn't have adequate
11 technical justification for putting in, but we
12 can't get it out because we don't have adequate
13 technical substantiation for removing it.

14 I think that the idea of manufacturing
15 date rather than the amount of use is troublesome
16 because something could sit in a warehouse or a
17 shelf for years and years before it's actually
18 needed or used, and to arbitrarily pick a ten-year
19 retirement date without any technical basis or
20 wearing or -- I agree whole-heartedly that we do
21 need to have better information for testing and
22 inspection, but it does seem a bit arbitrary to
23 leave an economic burden based on an arbitrary ten
24 years.

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1 MR. OWEN: Thank you. Microphone 4? Again,
2 state your name and whether you're for or against
3 the motion.

4 MR. REIDY: My name is Jim Reidy from Texas
5 State Association of Firefighters, and I'm against
6 the motion. I'm sorry.

7 In Texas, NFPA Standards, and this one in
8 particular, are law. We don't have a choice. We
9 don't get to choose whether we pick this or not.
10 We follow this as law. And I can tell you, from
11 first person, that no fire department or city in
12 Texas has gone bankrupt and gone without because of

13 the ten-year helmet rule. Our people are safer
14 just for this. But nobody has gone under because
15 of this.

16 MR. OWEN: Thank you. Microphone 4 again.

17 MR. BRINKLEY: Jim Brinkley with the
18 International Association of Firefighters speaking
19 against this motion.

20 MR. OWEN: Thank you.

21 MR. BRINKLEY: Though I announced my
22 affiliation as the International Association of
23 Firefighters, I should also point out that I was a
24 22-year firefighter retiring at the rank of

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1 Battalion Chief, and in that 22 years, went through
2 no less than eight helmets because of wear and
3 tear.

4 Now I understand the comments relative to
5 the helmet sitting on the shelf, but this is just
6 not about the amount of use that a helmet gets.
7 It's also about the advances in technology both in
8 the outer shell of the helmet as well as the
9 suspension system and all the components that are
10 meant to protect the firefighter.

11 To say that we would allow a piece of
12 personal protective equipment to sit on a shelf
13 indefinitely until it gets the required amount of
14 use which is yet to be defined by the maker of the
15 motion is absolutely ridiculous. This is not a
16 speaker we're talking about with a hard shell.
17 This is about a helmet designed to protect our

18 nation's firefighters.

19 I urge the members to vote accordingly.

20 MR. OWEN: Thank you. Microphone 3.

21 MR. HIRSCHLER: Marcelo Hirschler, GBH

22 International, speaking in favor of the motion.

23 I have served on a number of NFPA

24 committees. I have done a number of Proposals and

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1 Comments over the years. Every time I sat in a
2 Committee or I had a proposal or comment submitted,
3 the Committee came back and said, you shall put
4 some substantiation, some rationale, some
5 experience, some test data or something to indicate
6 why this proposal should be accepted or not.

7 Apparently, we now -- we here have
8 something where both sides have indicated that
9 there's no data to indicate why these helmets
10 should be eliminated after ten years irrespective
11 of whether they have been used or not used.

12 Please support the motion.

13 MR. OWEN: Thank you. Microphone 1.

14 MR. LIPSKER: Thank you, Mr. Chairman. I am
15 Steve Lipsker. I'm representing myself, and I'm
16 against the motion.

17 Mr. Chairman, I am not a fireman, not a
18 firefighter. I'm an electrician. And in my trade,
19 we wear hard hats. We wear them all the time. And
20 OSHA specifically states that that hard hat will be
21 replaced regardless of condition and use after five

22 years. Thank you, Mr. Chairman.

23 MR. OWEN: Thank you. Any further discussion
24 from the floor?

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1 Mr. Haskell, do you have any final
2 comments, brief comments?

3 MR. HASKELL: Yes. My final comment is you
4 have heard from the representatives against the
5 motion, members of the Committee from the fire
6 service, and I would like you to support the
7 actions of the Technical Committee and vote against
8 the motion. Thank you.

9 MR. OWEN: Thank you. Before we vote, let me
10 again restate the motion. The motion on the floor
11 is to accept Comment 1851-32 and related Proposal
12 1851-33. Please record your vote, 1 in favor of
13 the motion to accept it or 2, opposed to the
14 motion, reject it. Please vote now. 5 seconds.

15 Balloting is closed. The results are 105
16 to reject the motion, 76 to accept the motion. The
17 motion fails. Thank you, Mr. Haskell.

18 Before we begin the next document, I would
19 like to introduce Randall Bradley, member of the
20 Standards Council, who will be the presiding
21 officer for the next two documents. Randy?

22 MR. BRADLEY: The next report under
23 consideration this afternoon is that of the
24 Technical Committee on Fire Protection for Nuclear

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1 Facilities. Here to present the Committee report
 2 is Committee Chair, William Till of Savannah River
 3 Nuclear Solutions, Orangeburg, South Carolina.

4 The Committee report can be found in the
 5 white 2012 Fall Revision Cycle ROP and ROC. The
 6 Certified Amending Motions are contained in the
 7 Motions Committee report and behind me on the
 8 screen. We will proceed in the order of the motion
 9 sequence number presented. Mr. Till?

10 MR. TILL: Good afternoon, Mr. Chair, Ladies
 11 and gentlemen. The report of the Technical
 12 Committee on Fire Protection for Nuclear Facilities
 13 is presented for adoption and can be found in the
 14 Report on Proposals and the Report on Comments for
 15 the 2012 Fall Meeting Revision Cycle.

16 The Technical Committee has published a
 17 report consisting of a partial revision of
 18 NFPA 801, the Standard for Fire Protection for
 19 Facilities Handling Radioactive Materials. The
 20 report was submitted to letter ballot, and the
 21 Technical Committee consisted of 28 voting members.
 22 The ballot results can be found on Pages 801-2 to
 23 801-24 of the Report on Proposals and Pages 801-2
 24 to 801-13 of the Report on Comments.

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1 The presiding officer will now proceed
 2 with the Certified Amending Motion.

3 MR. BRADLEY: Thank you, Mr. Till. Let's now
 Page 56

4 proceed with the discussion on the Certified
5 Amending Motion on NFPA 801. Microphone 6, please.

6 MR. MINISTER: My name is Andrew Minister,
7 Battelle Pacific Northwest National Laboratories,
8 and I move to accept Comment 801-16.

9 MR. BRADLEY: Thank you. There's a motion on
10 the floor to accept Comment 801-16. Is there a
11 second?

12 A VOICE: Second.

13 MR. BRADLEY: We have a motion and we have a
14 second. Please proceed with the discussions on the
15 motion.

16 MR. MINISTER: I've been a protection fire
17 engineer for 38 years, and I have worked in the
18 nuclear fire protection industry for 32 years
19 including the analysis and design of special
20 hazards and nuclear facilities.

21 This motion seeks to incorporate changes
22 to the ROP revisions that were made to Chapter 7 by
23 approving my comments that were made on the ROP.
24 These were very extensive changes made to

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1 Chapter 7, and if you look at the ROP and the ROC,
2 they cover more than a page of that very fine
3 print.

4 ROP 801-47 was written to revise major
5 portions of Chapter 7. Chapter 7 addresses special
6 hazards in nuclear facilities. In the ROP
7 revision, the Committee made major changes to the

8 content of Chapter 7 and to the basis of how fire
9 protection is applied to special hazards in nuclear
10 facilities.

11 The special hazards that my motion
12 primarily addresses are hot cells, glove boxes,
13 hoods, and caves. The 2008 edition and previous
14 editions of NFPA 801 evaluate the hazards of hot
15 cells, glove boxes, hoods, and caves from a
16 deterministic perspective in which a fire hazard
17 analysis is used to determine the hazard and apply
18 the appropriate levels of fire protection and fire
19 suppression based on the hazards that will be
20 present in them.

21 The ROP changed the fire protection for
22 hot cells, glove boxes, hoods, and caves from a
23 deterministic analysis to prescriptive requirements
24 for the use of combustible gas analyzers,

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1 installation of three-hour fire-rated barriers for
2 solvent distillation of recovery equipment, and
3 installation of automatic fire suppression in all
4 hot cells, glove boxes, hoods, and caves with no
5 regard to whether a hazard exists that would
6 require this type of protection or not.

7 The term "nuclear facilities" as
8 applicable to 801 represents an extremely broad
9 spectrum of facilities with tremendous variations
10 in mission, function, design, operations, hazardous
11 chemicals, radioactive material, inventories, fire
12 risks, and protection needs. The types of

13 facilities covered by NFPA 801 and the requirements
14 of this chapter may include small research and
15 development laboratories, large processing
16 facilities, or nuclear non-powered reactors.

17 The fire protection needs of these
18 facilities are as varied as the facilities
19 themselves. For this reason, inflexible
20 prescriptive fire protection requirements do not
21 meet the specific facility and hazard protection
22 needs, and the fire hazards analysis becomes
23 paramount in defining and evaluating the
24 appropriate level of protection of hazards and

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1 configurations unique to these facilities.

2 The importance of the FHA and flexibility
3 of the application of requirements for the
4 variability and nuclear facility hazards is the
5 primary basis for the proposed changes, and this
6 approach is consistent with other requirements for
7 performance-based firehouse analysis --

8 MR. BRADLEY: Your time is up. Will you please
9 finish?

10 MR. MINISTER: -- 5, 6 of the standard. I urge
11 you to vote in favor of this motion.

12 MR. BRADLEY: Mr. Till, would you like to offer
13 the Committee's position?

14 MR. TILL: Yes, sir. Thank you. The Committee
15 as part of the 2013 Revision of NFPA 801 considered
16 a complete revision of Chapter 7 of the previous

17 edition of the document to correct numerous errors
18 and to incorporate directly relatable research on
19 the subject. In fact, nearly 25 percent of the
20 public input on the document was on Chapter 7.

21 It should be noted that the Committee used
22 its input to this revision of NFPA 801, the NFPA
23 Research Foundation Project Report on Glove Box
24 Fire Protection. This project was initiated at the

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1 request of the Technical Committee to ensure that
2 all available research on the subject of fire
3 protection and, particularly, glove boxes, but also
4 including many of the facilities under the purview
5 of NFPA 801 was identified to support the technical
6 arguments within the standard.

7 The report was completed in September of
8 2010 and includes lessons learned from numerous
9 incidences in these types of facilities. The
10 Committee, with no descending votes, adopted the
11 specific portions of the comment and this was
12 reaffirmed not once, but twice, the latest being
13 the meeting in April of the Technical Committee.

14 Specifically, the issue of NFPA 801
15 applicability was previously resolved via a task
16 group appointed expressly for that purpose. The
17 task group reported its recommendation during this
18 revision Cycle, and as the speaker has noted, the
19 wide applicability of the document from hospitals
20 to nuclear research production reactors, indeed,
21 illustrates how broad the document is applied

22 across the area of facilities handling radioactive
23 materials.

24 The requested flexibility of a

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1 performance-based approach based on results of fire
2 hazards analysis was rejected on the grounds that
3 it was noted previously that the scope of 801 is,
4 indeed, broad; and there were concerns on the parts
5 of the regulatory authorities on the ability to
6 reach appropriate technical conclusions especially
7 in light of the fact that the authority having
8 jurisdiction does not generally review nor approve
9 these documents.

10 The common approach of allowing the AHJ to
11 approve deviations was deemed sufficient for those
12 cases where the requirements may be stringent based
13 on the risk. This approach ensures adequate
14 analysis acceptable to the AHJ.

15 The proposed language applicable to hoods
16 specifically deviates from the type addressed in
17 the document. A new definition was added as part
18 of resolution of the motion submitter's comment.

19 The adoption of these changes would
20 require substantial revision of the documents
21 specifically with regard to deviation of
22 requirements based on fire hazards analysis
23 determination.

24 The Committee respectfully recommends

1 rejection of the motion, and thanks you for the
2 support of the Technical Committee's efforts.

3 MR. BRADLEY: Thank you, Mr. Till. With that,
4 we will open the debate on the motion. Please
5 provide your name and affiliation and whether you
6 are speaking in support or against the motion.
7 Microphone Number 6.

8 MR. MINISTER: Andrew Minister, Battelle
9 Pacific Northwest National Laboratories in favor of
10 the motion.

11 In the substantiation provided in the ROP
12 and the rejection of my comment in the ROC, the
13 Committee did not provide any substantive evidence
14 that there were needs for the change to go to a
15 prescriptive requirement from the deterministic
16 perspective.

17 Fire hazards analysis has been used very
18 successfully for many, many years to analyze the
19 hazards and apply appropriate levels of control.
20 Fire hazards analysis has proven to be very
21 effective in the fact that the number of fires
22 related to glove boxes, hot cells, caves, and hoods
23 has gone down since the major fires the DOE had in
24 the '60s and '70s, and there has not been any

1 serious fires or serious events with radioactive
2 releases or contaminations in the last ten years

3 that would justify such a significant change.

4 MR. BRADLEY: Microphone Number 3, please.
5 Provide your name and affiliation and whether
6 you're speaking in support or against the motion.

7 MS. MAKEY: Nancy Makey, Battelle, Idaho
8 National Lab, speaking for the motion.

9 We are a national nuclear research
10 facility. We deal with this Code all the time.
11 The firehouse's analysis is our methodology for
12 determining the proper suppression and control
13 methodology we are going to implement.
14 Prescriptive, giving us specifics that we have to
15 follow is not productive because we deal with so
16 many diverse materials, one size does not fit all.

17 We have to do this analysis anyway to be
18 able to determine what is appropriate. Sometimes
19 it's gaseous suppression systems. Sometimes it's a
20 manual suppression such as a dry powder. Sometimes
21 it's a combination of lots of things, controlling
22 combustibles, inert atmospheres. We use what is
23 appropriate for the material that we are dealing
24 with.

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1 Telling us to use sprinklers creates
2 problems for us that sometimes makes things worse
3 than the fire we're trying to protect against.
4 Water in the nuclear world can often cause
5 criticalities. That is not something we like to
6 see. Also, water can create pressure in a very
7 small area such as a glove box. You get leaks, you

8 now have contamination spread where you don't want
9 it.

10 Prescribing to us that we have to follow a
11 specific set of rules deviates from a philosophy
12 and a methodology that has been proven by history
13 to work. So why are we changing now because
14 somebody has decided it's a good idea?

15 I ask you, please support this motion.
16 There is no basis that we can find that supports
17 that we should go back to a prescriptive
18 methodology. Thank you.

19 MR. BRADLEY: Thank you. Microphone 6, please.
20 State your name, affiliation, whether you're
21 speaking for or against the motion.

22 MR. BARILO: My name is Nick Barilo from the
23 Pacific Northwest National Laboratory, speaking in
24 favor of the motion. I also would like to say that

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1 I've been a fire protection engineer for nuclear
2 and radiological facilities for 28 years.

3 Currently, NFPA 801 requires a documented
4 fire hazards analysis to be performed for new and
5 existing facilities handling radioactive materials
6 to ensure that fire prevention and fire protection
7 requirements have been evaluated. The FHA is used
8 in the standard to determine fire separation
9 distances, control of hazards, including the
10 storage and use of radioactive materials as they,
11 under fire or explosion conditions, can result in

12 severe hazards, the control or elimination of
13 ignition sources, ventilation control, and
14 suppression of fires.

15 In general, NFPA 801 as currently
16 supported by the Committee gives broad latitude to
17 using the FHA to determine requirements. NFPA 801
18 specifies that the FHA shall be used to determine
19 fire area separation, protection of combustible
20 shielding, fire rating of ducts, filter fire
21 protection, fire detection and suppression of HEPA
22 filter systems, smoke control methods, drainage
23 volume, facility fire protection, facility
24 sprinkler protection, fixed fire protection, water

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1 supply, water supply means, and hydrants, stand
2 pipes, fire detection systems, and fire suppression
3 system generally.

4 I would urge that everyone vote in favor
5 of this proposed amendment. Thank you.

6 MR. BRADLEY: Thank you. Microphone Number 6,
7 please state your name, affiliation and whether
8 you're speaking for or against the motion, please.

9 MR. WALKER: Shakur Walker, Browns Ferry
10 Nuclear Facility. For those of you who know about
11 fire protection and about fire, you might have
12 heard about Browns Ferry before.

13 I'll be brief. This is my first
14 conference, and I've been reviewing this. Being
15 that TBA and Browns Ferry is becoming NFPA
16 compliant, from where we're coming from, from where

17 the Browns Ferry fire kind of started, it makes
18 sense to support this motion.

19 So I understand that it is a bit broad,
20 but you are dealing with a lot of facilities that
21 are pretty much custom jobs. You have 81,000s that
22 are coming out now that are more standardized and,
23 in time, we might be able to revisit this and
24 debate on it again. But for right now, I suggest

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1 humbly to support this motion. Thank you.

2 MR. BRADLEY: Is there any further discussion?
3 Yes, I see Microphone Number 4, please. State your
4 name, affiliation and whether you're for or against
5 the motion.

6 MR. DUNCAN: My name is Ken Duncan. I am with
7 Performance Design Technologies, and I'm speaking
8 in support of the motion even though I'm standing
9 by a red microphone.

10 It seems to me that our entire industry
11 has been working for the last two decades to
12 develop a better performance way of doing our fire
13 protection so that we do just enough, not too
14 little and not too much. And it seems to me that
15 going back to a more prescriptive approach as this
16 latest revision in 801 has done is a step backward
17 rather than a step forward.

18 I agree wholeheartedly with the comment
19 made that one size fits all does not apply to the
20 wide range of nuclear power -- not nuclear power,

21 excuse me -- the radioactive materials or radiation
22 risks that are associated with the wide variety of
23 facilities that 801 is intended to cover. So I
24 wholeheartedly support the motion.

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1 MR. BRADLEY: Thank you. Is there any further
2 discussion on Motion 801-1?

3 Chair, do you have any final comments?

4 MR. TILL: I do, sir. A key component of
5 performance-based design approaches is research of
6 which there is very little of late in the
7 literature for facilities of this type. However,
8 the most recent research done on this subject has
9 validated the approach the Technical Committee is
10 taking.

11 A key component of an adequate FHA is the
12 knowledge of the specific hazard. There were
13 several examples available to the Technical
14 Committee where preparation of FHAs for some
15 facilities under the scope of NFPA 801 were not
16 prepared by such persons. Research in this area by
17 such notable parties as Factory Mutual supported
18 the conclusions and the approach taken in this
19 edition of the standard.

20 And again, in closing, the Committee again
21 had no dissenting votes after considerable
22 discussion and review of this approach.

23 MR. BRADLEY: Thank you, Mr. Chair. Before we
24 vote, let me restate the motion. The motion on the

1 floor is to accept Comment 801-16. Please record
 2 your vote 1 in favor of the motion to accept or 2,
 3 oppose the motion, reject. Please record your
 4 votes. 5 seconds.

5 The balloting is closed. Thank you. The
 6 results of the vote are in favor, 95; opposed, 61.
 7 The motion carries.

8 Is there any further discussion on
 9 NFPA 801? Seeing none, we'll move on to the next
 10 document. Thank you, Mr. Till.

11 The next report under consideration this
 12 afternoon is that of the Technical Committee on
 13 Pyrotechnics. Here to present the Committee report
 14 is Standards Council member Michael Snyder. The
 15 Committee reports can be found in the blue 2013
 16 Annual Revision Cycle ROP and ROC. The Certified
 17 Amending Motions are contained in the Motions
 18 Committee report and behind me on the screen.

19 We'll proceed in the order of the motion
 20 sequence number presented. Mr. Snyder.

21 MR. SNYDER: Good afternoon, Mr. Chair, Ladies
 22 and gentlemen. The report of the Technical
 23 Committee on Pyrotechnics is presented for adoption
 24 and can be found in the Report of Proposals and the

1 Report of Comments for the 2013 Annual Meeting
 2 Revision Cycle. The Technical Committee has

3 published a report consisting of a partial revision
4 of NFPA 1123, Code for Fireworks Display.

5 The report was submitted to letter ballot
6 of the Technical Committee that consisted of
7 33 voting members. The ballot results can be found
8 on Pages 1123-2 through 1123-13 of the Report on
9 Proposals and Pages 1123-2 through 1123-3 of the
10 Report on Comments.

11 The presiding officer will now proceed
12 with the Certified Amending Motion.

13 MR. BRADLEY: Thank you, Mr. Snyder. Let's now
14 proceed with the discussion on the Certified
15 Amending Motions on NFPA 1123. Microphone
16 Number 3, please state your name and affiliation.

17 MR. HIRSCHLER: Marcelo Hirschler,
18 GBH International. I move to accept
19 Comment 1123-1.

20 MR. BRADLEY: Thank you. There's a motion on
21 the floor to accept Comment 1123-1. Is there a
22 second?

23 A VOICE: Second.

24 MR. BRADLEY: We do have a second. Please

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1 proceed with the discussions on the motion.

2 MR. HIRSCHLER: Again, Marcelo Hirschler,
3 GBH International and maker of the motion.

4 First, I want to explain to the audience,
5 many of you have heard me and seen me speak, but I
6 am the Chairman of an advisory committee set up by

7 the Standards Council of NFPA called the Glossary
8 Advisory Committee on Terminology. I am not
9 speaking for the Committee, but I am here to tell
10 you what this Committee is doing and tell you some
11 of the things that we are trying to do.

12 We're trying to get consistency within the
13 definitions within the various committees of NFPA
14 and consistency with NFPA Manual of Style. Between
15 today and tomorrow, you'll hear me speak more than
16 once on issues of that kind.

17 I'm not addressing on this issue or
18 similar issues, technical issues. It's purely
19 consistency between definitions and Manual of
20 Style. This particular case, I'm addressing
21 consistency and definitions.

22 If you look at the ROP, not the ROC, the
23 ROP for 1123, you look -- you find Proposal 1123-4
24 where the verb -- the term "fire (verb)" was

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1 modified by adding a couple of words associated
2 with something specific in 1123, the words,
3 "portfire" and "fusee". Also the word "or
4 fireworks" was added.

5 What this motion would do, if approved, is
6 to take that proposal as is so we would get
7 consistency with the definition from 1126. So the
8 only difference between what the Committee accepted
9 and what 1126 has is "fire (verb), To ignite
10 pyrotechnics or fireworks" while the Committee just
11 says "to ignite fireworks". I would just support.

12 Thank you.

13 MR. BRADLEY: Mr. Snyder, would you like to
14 offer the Committee's position, please?

15 MR. SNYDER: Thank you, Mr. Chair. During the
16 ROP stage, Proposal 1123-4 was submitted, and this
17 was to bring the definition of fire to be
18 consistent as previously discussed with NFPA 1126
19 which is the standard for the use of pyrotechnics
20 before proximate audience.

21 The Committee felt as they evaluated this
22 proposal that there could be a more effective
23 definition of fire in the context of NFPA 1123. So
24 the proposal was accepted in principle but revised

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1 to take out the word "pyrotechnics" but keeping the
2 wording of "portfire" and "fusee". Since NFPA 1123
3 only deals with fireworks and not the broader
4 family of pyrotechnics, it is not appropriate to
5 have the wording of pyrotechnics in the definition
6 of NFPA 1123.

7 Also, when considering the definition of
8 fire for NFPA 1126, pyrotechnics would never be lit
9 or be fired with a portfire or fusee. If the
10 NITMAM was to pass, the definitions would still not
11 be consistent between NFPA 1123 and NFPA 1126
12 because the definition of fire in NFPA 1126 would
13 be to ignite pyrotechnics by using an electric
14 match, electric current or other similar means, and
15 it would be different than the wording in the

16 proposal of 1123-4 as submitted. Thank you.

17 MR. BRADLEY: Thank you, Mr. Snyder. With
18 that, we will open up the debate on the motion.
19 We'll start with Microphone Number 4. Please
20 provide your name and affiliation and whether or
21 not you're in support or against the motion.

22 MR. KOFFEL: Bill Koffel, Koffel Associates,
23 consultant to the American Pyrotechnics
24 Association, although not speaking for them here

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1 today, in opposition to the motion.

2 I was the submitter of the original
3 Proposal 1123-4, and it was our original intent to
4 make these definitions consistent. However, as you
5 just heard from Mr. Snyder, as the Committee looked
6 at this, they said, We have a problem with the
7 definition of 1126. Some of the language really
8 doesn't apply to that standard; and, in this case,
9 the reference to pyrotechnics would not apply.

10 So we would encourage you to support the
11 Committee, retain the action in the ROC. This is
12 really just an editorial issue as to whether the
13 word "pyrotechnics or" would appear in the
14 definition. Thank you.

15 MR. BRADLEY: Thank you. Is there any further
16 discussion on Motion 1123-1 to accept
17 Comment 1123-1?

18 Mr. Snyder, do you have any additional
19 comments?

20 MR. SNYDER: I have no further comments.

21 MR. BRADLEY: Seeing none, we'll move to a
22 vote. Before we vote, let me restate the motion.
23 The motion on the floor is to accept
24 Comment 1123-1. Please record your vote 1, in

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1 favor of the motion to accept or 2, opposed to the
2 motion or reject. Please vote. The balloting will
3 close in 5 seconds.

4 The balloting is now closed. The motion
5 is rejected, 26 to 127.

6 Let's now proceed with the discussion on
7 certifying motion 1123-2. Microphone 3.

8 MR. HIRSCHLER: Marcelo Hirschler,
9 GBH International, and I move to accept
10 Comment 1123-2.

11 MR. BRADLEY: Thank you. Is there a second to
12 accept Comment 1123-2?

13 A VOICE: Second.

14 MR. BRADLEY: We have a second. Please proceed
15 with the discussion on the motion.

16 MR. HIRSCHLER: Thank you. Marcelo Hirschler,
17 GBH International.

18 Let me clarify again that this has nothing
19 to do with technical content. This is purely a
20 manual of style issue. Definitions within the NFPA
21 system are not enforceable. So definitions cannot
22 contain references to sections of code or to other
23 codes or regulations. And I will read to you the
24 definition proposed by 1123 for consumer fireworks:

1 "Small fireworks devices containing
2 restricted amounts of pyrotechnic composition,
3 designed primarily to produce visible or audible
4 effects by combustion, that comply with the
5 construction, chemical composition, and labeling
6 regulations of the U.S. Consumer Product Safety
7 Commission." So far, great. But then it goes on
8 saying, "As set forth in CPSC 16 CFR 1500" and so
9 on and so forth and so on, and the same with
10 Display Fireworks.

11 So what this -- if you see fit to approve
12 this, what this comment does is put these
13 requirements in a section within the document which
14 is where they belong. Requirements do not belong
15 in the definitions. Manual of style does not allow
16 you to put requirements in definitions.

17 In fact, one of the Committee members,
18 Carl Baldassarra, also agrees and put a negative to
19 that effect. This is simply an issue of manual
20 style. We're not changing any of the requirements.
21 We're putting the things where they belong.

22 This will not -- as the Committee says,
23 this will not change the legal definition because
24 the legal definition is everything I read and not

1 where it is set forth. Legal definition tells you

2 what it is, not where it is. Thank you.

3 MR. BRADLEY: Thank you. Mr. Snyder, would you
4 like to offer the Committee's position?

5 MR. SNYDER: Thank you, Mr. Chairman. As
6 stated in the substantiation contained in the ROC,
7 the definition of consumer fireworks in this Code
8 is the legal definition as defined by the Consumers
9 Product Safety Commission, CPSC regulation, and it
10 cannot be modified or changed by the NFPA Technical
11 Committee.

12 It is the jurisdiction of the CPSC, not
13 the enforcers of the NFPA 1123, to enforce the
14 construction requirements of consumer fireworks.
15 So the proposed Section 4.1.1 and 4.1.2, moving
16 that part of the definition to a requirements
17 phase, is not appropriately placed in NFPA 1123.
18 Thank you.

19 MR. BRADLEY: Thank you, Mr. Snyder. With
20 that, we will open up the debate on the motion.
21 Please provide your name and affiliation and
22 whether you are speaking in support or against the
23 motion. Microphone Number 4.

24 MR. KOFFEL: Bill Koffel, Koffel & Associates.

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1 Again, we're consultants to the American
2 Pyrotechnics Association --

3 MR. BRADLEY: Are you speaking for or against
4 the motion?

5 MR. KOFFEL: I am speaking against. I am not
6 necessarily speaking for APA at this particular

7 point in time; however, I would speak in opposition
8 to the motion.

9 First, I'm not sure that the proposed text
10 change actually accomplishes what the submitter of
11 the CAM's intent is because the definition would
12 still say "that comply with certain regulations in
13 a CPSC standard". Those are requirements.

14 What he's proposing to delete is only the
15 specific reference in the CPSC standard. So if
16 we're trying to get rid of all the requirements, we
17 haven't accomplished that.

18 Secondly, if we look at the text, instead
19 of saying, Shall comply with construction chemical
20 composition, and labeling requirements of the CPSC
21 standard, the proposed new text in Chapter 4 brings
22 in all the requirements of the CPSC standard and
23 the APA standard, and that was not the Committee's
24 intent.

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1 I encourage you to oppose the motion.

2 MR. BRADLEY: Thank you. Is there any further
3 discussion on Motion 1123-2 to accept
4 Comment 1123-2?

5 Mr. Chair, do you have any final comments?

6 MR. SNYDER: I have no further comments.

7 MR. BRADLEY: We'll move to the vote. Before
8 we vote, let me restate the motion. The motion on
9 the floor is to accept Comment 1123-2. Please
10 record your vote 1, in favor of the motion to

11 accept, or 2, oppose the motion to reject. Please
12 vote. 5 seconds remain for the voting.

13 The voting is now closed. The motion has
14 been rejected by 126 for reject and 29 in favor.

15 Before we begin the next document, I would
16 like to introduce Danny McDaniel, member of the
17 Standards Council, who will be presiding officer
18 for the next document. Thank you.

19 MR. McDANIEL: Thank you, Randy. The next
20 report under consideration this afternoon is that
21 of the Technical Committee on Venting Systems for
22 Cooking Appliances. Here to present the Committee
23 report is Committee Chair R. T. Leicht of Delaware
24 State Fire Marshal's office, Wilmington, Delaware.

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1 The Committee's report can be found in the
2 blue 2013 Annual Revision Cycle ROP and ROC.
3 Certified Amending Motions are contained in the
4 Motions Committee report and behind me on the
5 screen. We will proceed in the order of the motion
6 sequence number presented. Mr. Leicht?

7 MR. LEICHT: Thank you, Mr. Chair, Ladies and
8 gentlemen. The report of the Technical Committee
9 on Venting Systems for Cooking Appliances is
10 presented for adoption and can be found in the
11 Report on Proposals and the Report on Comments for
12 the 2013 Annual Meeting Revision Cycle.

13 The Technical Committee has published a
14 report consisting of a partial revision of NFPA 96,
15 Standard for Ventilation Control and Fire

16 **Protection of Commercial Cooking Operations.** The
17 report was submitted to letter ballot of the
18 Technical Committee that consists of 28 voting
19 members. The ballot results can be found on
20 Pages 96-2 to 96-17 of the Report on Proposals and
21 Pages 96-2 to 96-11 of the Report on Comments.

22 MR. McDANIEL: Thank you, Mr. Leicht. We will
23 proceed with the discussion on the Certified
24 Amending Motions on NFPA 96.

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1 MR. HIRSCHLER: Marcelo Hirschler,
2 GBH International. I move to accept an
3 identifiable part of Comment 96-4 as shown on the
4 screen.

5 MR. McDANIEL: Thank you. There's a motion on
6 the floor to accept an identifiable part of
7 Comment 96-4. Is there a second?

8 A VOICE: Second.

9 MR. McDANIEL: We have a second. Please
10 proceed with the discussion on the motion.

11 MR. HIRSCHLER: Thank you. Marcelo Hirschler,
12 GBH International. Well, with the record I've had
13 today, I'm not sure I should continue, but I will.
14 This hopefully is a very simple issue.

15 This is to put 96 consistent with what we
16 have been doing for limited-combustible and
17 noncombustible material in the majority of our
18 documents, that this change has already been done
19 in NFPA 1, 101, 5000, and a whole series of other

20 documents. But what it boils down to, again, is
21 simply the question of cutting out in the
22 section -- in the definition, cutting out the
23 actual definition as just simply saying, "See
24 Section 4.8.2." All the information about what a

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1 limited-combustible material is and what a
2 noncombustible material is is already in the ROC,
3 for 96 is already in Section 4.8.1 and 4.8.2. So
4 all of that information is there.

5 The only thing we're doing to avoid having
6 requirements in definition is just sending directly
7 to those sections and making these pair of
8 definitions consistent with that in most of our
9 documents as we go along changing documents one by
10 one. I urge your support. Thank you.

11 MR. McDANIEL: Thank you. Mr. Leicht, would
12 you like to present the Committee's response?

13 MR. LEICHT: I would just mention that this
14 went through Proposals and Comments, and not only
15 did it pass going to meetings, but going to
16 ballots. We received no negative ballots on the
17 Committee's actions.

18 MR. McDANIEL: Okay. Thank you, Mr. Leicht.
19 With that, we will open up debate on the motion.
20 Please provide your name and affiliation and
21 whether you're speaking in support of or against
22 the motion. Microphone 2, please.

23 MR. LATHROP: Jim Lathrop of Koffel &
24 Associates, speaking for myself. It's not really

1 for or against. I have more of a question.

2 This is shown as extracted material. It
3 was just testified that 5000 changed it to how they
4 want it changed to. If we reject it, it's
5 extracted. Isn't it going to change automatically
6 anyhow? Either that, you're going to have to
7 remove the extract indication. So I would like a
8 ruling from the Council staff people how we handle
9 this if it's extracted material? Assuming
10 Marcelo -- I presume Marcelo is correct that it was
11 changed in 5000.

12 MR. McDANIEL: We think it is appropriate to
13 act on Mr. Hirschler's motion as it is. Any
14 procedural issues will be dealt with later as
15 appropriate. So we will proceed.

16 Microphone 5, please.

17 MR. CONROY: Thank you, Mr. Chairman.
18 Mark Conroy, Brooks Equipment, member of the
19 NFPA 96 Committee. I'm in opposition to this
20 motion.

21 The proponent is recommending that the
22 definitions of noncombustible material and
23 limited-combustible material contain no definition
24 at all, only a reference to sections in Chapter 4.

1 The Committee action provides short definitions for
Page 80

2 these terms. The Committee is in agreement with
3 all of the material for Chapter 4. So everything
4 regarding Chapter 4 and the submitter's comment was
5 copied and pasted into the Committee action.

6 I'm in opposition to the recommendation of
7 just referencing Chapter 4, the Definitions,
8 because providing no definition for these terms in
9 the Definitions chapter is problematic and
10 confusing. I believe that the Committee took the
11 right action in providing definitions for these
12 terms that would be in compliance with the NFPA
13 Manual of Style. I don't think a parenthetical
14 reference is appropriate for a definition of a
15 term. A term in the Definitions chapter should
16 have a definition of the term.

17 The Technical Committee has provided
18 definitions for these terms. I encourage the
19 membership to vote in opposition to the motion.

20 MR. McDANIEL: Thank you. Microphone Number 3,
21 please. Please state your name affiliation and
22 whether you're for or against the motion.

23 MR. HIRSCHLER: Marcelo Hirschler,
24 GBH International, for the motion. Couple of

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1 things I want to clarify.

2 First of all, Jim Lathrop's point, the
3 reference to extract from 5000 was struck out both
4 by the Technical Committee and in my proposal and
5 comment. So that's a moot point.

6 With regards to the point made by
7 Mr. Conroy, this is again, as I have stated before,
8 trying to get consistency in definitions throughout
9 the NFPA system, and we have the same exact way
10 that we define noncombustible material,
11 limited-combustible material in all the major
12 NFPA Codes, 1, 101, 5000, and in numerous other
13 documents.

14 I urge you to support this so we continue
15 getting consistency in definitions within NFPA
16 document. Thank you.

17 MR. McDANIEL: Thank you. Is there any other
18 discussion?

19 Mr. Leicht, would you like to make any
20 further comment?

21 MR. LEICHT: My only final remark would be that
22 the Committee put a lot of time and deliberation on
23 this issue. They were looking at coming up with a
24 definition that's usable out in the field by, let

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1 me call them, the common folk. And so I'm going to
2 urge that you vote in accordance with the
3 Committee's actions.

4 MR. McDANIEL: Thank you, Mr. Chair. Before we
5 vote, let me restate the motion. The motion on the
6 floor is to accept an identifiable part of
7 Comment 96-4. Please record your vote 1, in favor
8 of the motion, accept, or 2, opposed to the motion,
9 reject. Record your vote. Five seconds.

10 Balloting is closed. Motion fails, 120 to
Page 82

11 27.

12 Now let's proceed to discussion of
13 Certified Amending Motion 96-2. Microphone 3,
14 please.

15 MR. HIRSCHLER: Marcel o Hirschler,
16 GBH International. I move to accept Comment 96-6.

17 MR. McDANIEL: Thank you. There's a motion on
18 the floor to accept Comment 96-6. Is there a
19 second?

20 A VOICE: Second.

21 MR. McDANIEL: Yes, we have a second. Please
22 proceed with the discussion on the motion.

23 MR. HIRSCHLER: Thank you, Mr. Chairman. What
24 this is is another -- Marcel o Hirschler,

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1 GBH International.

2 What this is is another one of my
3 recommendations to get consistency in definitions.
4 If you look at the ROP, Proposal 96-13, it changes
5 the word "qualified", the definition, by taking out
6 the word "or company" and all this motion does is
7 say, no, keep it as it was before because that is
8 the same definition that we have in other NFPA
9 documents. Thank you.

10 MR. McDANIEL: Thank you. Mr. Leicht, would
11 you like to give the Committee's position?

12 MR. LEICHT: Again, there was a sufficient
13 amount of time spent on all the proposals including
14 this one. And both at the proposal stage and the

15 comment stage, the ballots came back with no
16 negatives. They were unanimously in favor of what
17 the Committee's action was.

18 MR. McDANIEL: Thank you, Mr. Leicht. With
19 that, we will open debate on the motion. Please
20 provide your name and affiliation and whether
21 you're speaking for or against the motion.
22 Microphone 5, please.

23 MR. PARIKH: Jayendra Parikh, Compliance
24 Solutions International, a consultant and a member

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1 of NFPA 96 Technical Committee and also the
2 proponent of this specific proposal.

3 If this term is not deleted as it was
4 proposed and accepted by the Committee, the current
5 definition of "qualified" in the standard which is
6 used in many different paragraphs will be in
7 conflict with the current requirements.

8 And the second thing I would say is the
9 other NFPA Standards that the submitter has made
10 for consistency, I would suggest that similar
11 definitions in other standards can be devised to be
12 consistent other than NFPA 96, revising it.

13 So for those two reasons, I would
14 recommend voting against this motion. Thank you.

15 MR. McDANIEL: Thank you. Microphone 4,
16 please. State your name, affiliation and whether
17 you're for or against the motion.

18 MR. CONROY: Thank you, Mr. Chairman.
19 Mark Conroy, Brooks Equipment Company, member of

20 the NFPA 96 Committee. I'm in opposition to the
21 motion.

22 I agree with the previous speaker that as
23 the term is used in the standard, it only refers to
24 qualification of personnel. And I did a word

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1 search prior to coming to this meeting and I did a
2 word search for the word "qualified" in a document,
3 and I got 13 hits. Each time qualified was related
4 to personnel or persons and in no case did the text
5 refer to companies.

6 I have a few examples. 10.9.2.1,
7 Installation of systems shall be performed only by
8 persons properly trained and qualified to install
9 the specific system being provided. Another short
10 one, for example, 1165, Fire extinguishing system
11 shall be permitted -- rendered inoperable during
12 cleaning process where serviced by properly trained
13 and qualified persons.

14 I recall in previous editions of NFPA 96
15 there was a reference to qualified persons or
16 companies, but "or companies" was taken out
17 intentionally by the Committee.

18 So I would encourage the membership to
19 vote in opposition to this motion.

20 MR. McDANIEL: Thank you. Microphone Number 4,
21 please. State your name affiliation and whether
22 you're for or against the motion.

23 MR. MAKOWKA: My name is Norbert Makowka,

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1 Distributors, speaking against the motion.

2 The reason "company" was taken out is
3 several reasons. Many years ago, the manufacturers
4 of the fire extinguishing systems for these
5 commercial cooking operations certified the company
6 but not necessarily every individual technician.

7 Currently, most, if not all, manufacturers
8 require each individual technician to have some
9 level of qualification and certification to work on
10 those systems. It would also bring us in agreement
11 with the extinguishing system standards and the
12 latest edition of the International Fire Code which
13 requires the individual technician or personnel
14 doing the work to have the qualification and
15 certification. Thank you.

16 MR. McDANIEL: Thank you. Is there any further
17 discussion? Mr. Leicht?

18 MR. LEICHT: Just again, I would urge the floor
19 here to vote in support of the Committee's actions.

20 MR. McDANIEL: Thank you, Mr. Chair. Before we
21 vote on -- let me restate the motion. The motion
22 on the floor is to accept Comment 96-6. Please
23 record your vote 1, in favor of the motion or 2,
24 opposed to the motion, reject. Please record your

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1 vote. Balloting will be closed in 5 seconds.

2 Balloting is closed. Motion fails, 129 to
3 19. Thank you.

4 Let's proceed with the discussion on
5 Certified Amending Motion 96-3. Microphone 3,
6 please.

7 MR. HIRSCHLER: Marcelo Hirschler,
8 GBH International, and I move to reject
9 Comment 96-8.

10 MR. McDANIEL: Thank you. There's a motion on
11 the floor to reject Comment 96-8. Is there a
12 second?

13 A VOICE: Second.

14 MR. McDANIEL: We do have a second. Please
15 proceed with the discussion on the motion.

16 MR. HIRSCHLER: Marcelo Hirschler,
17 GBH International, speaking on behalf of NAFRA.

18 Let me try to explain. This is not an
19 issue related with definitions. This is a
20 technical issue. So let me explain what we're
21 talking about here.

22 We're talking about that the comment
23 requires that the clearance to limited-combustible
24 materials be protected by materials --

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1 noncombustible materials listed for the purpose of
2 reducing clearance. There are no noncombustible
3 materials listed for the purpose of reducing
4 clearance from furnaces. This just something that
5 makes no sense.

6 And if you go to Page 96-5 of the Report
7 of Comments, you see an extensive negative from
8 Mr. Dwayne Sloan of Underwriters Laboratories, one
9 of the Committee members, explaining this. I would
10 urge your support on this motion. Thank you.

11 MR. McDANIEL: Mr. Leicht, would you like to
12 present the Committee's position?

13 MR. LEICHT: Yes. If you do refer to the
14 original proposal that was made, the intent of that
15 proposal was to take what seemed to be a lengthy
16 sentence that had a lot of comments, a lot of
17 phrases in it, and list the four specific areas to
18 be listed in kind of a bullet-point fashion. What
19 this -- and that proposal was accepted and balloted
20 and got the two-thirds ballot.

21 We had a series of comments that came
22 back. I want to point out that this comment
23 actually does achieve what the proposal initially
24 was supposed to do; however, the comment having

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1 been rejected by the Committee, it did receive the
2 two-thirds vote necessary to back that decision.

3 MR. McDANIEL: Thank you, Mr. Chairman. Let's
4 proceed with the discussion Certified Amending
5 Motion 96-3. Microphone Number 2, please. State
6 your name affiliation and whether you're for or
7 against the motion.

8 MR. HOPPER: Thank you. Howard Hopper, UL,
9 speaking in favor of the motion on the floor.

10 Now as pointed out by Mr. Hirschler, our
11 representative on this Committee voted against
12 Comment 96-8 because we agree with the language
13 that resulted from Proposal 96-17 which formed the
14 basis for the content.

15 The language that we would like to see in
16 the standard is reflected in the last column of the
17 orange handout that the membership should have
18 received earlier today which is basically the
19 language in Proposal 96-17. Now the original
20 proposal included a number of options that can be
21 used to achieve zero clearances. One included
22 using noncombustible materials or assemblies of
23 noncombustible materials that are listed for the
24 purpose of reducing clearances to

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1 limited-combustible materials.

2 Now the comment revised the proposal to
3 allow an option to allow basically any
4 noncombustible material to be used to reduce
5 clearances to zero whether it's been investigated
6 or listed or not. So if you think about it, you
7 can now take a piece of sheet metal, put it against
8 a combustible construction, and you can reduce your
9 clearances to zero. We're not really sure the
10 technical basis for doing that.

11 And also when we looked at the Committee's
12 statement, it said it's not reasonable for
13 materials that are noncombustible to be listed as
14 noncombustible. I think if you read the wording,

15 that's not what happened. They're listed for
16 reduced installation clearances.

17 So the motion before you addresses our
18 concerns. We feel that the Committee got it right
19 with Proposal 96-17 and would urge you to vote in
20 favor of the motion on the floor. Thank you.

21 MR. McDANIEL: Thank you. Microphone Number 5,
22 please. State your name, affiliation and whether
23 you're for or against the motion, please.

24 MR. CONROY: Thank you, Mr. Chairman.

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1 Mark Conroy, Brooks Equipment, member of the
2 96 Committee. I'm in opposition to this motion.

3 The ROC text and the previous edition are
4 the same. Only the ROC reformats or formats the
5 information as a list so that it's easier to
6 comprehend for the casual reader of the standard.

7 The Committee accepted in principle
8 ROC 96-8 due to the sensible and reasonable
9 argument provided in the substantiation, and I
10 encourage the membership to read that
11 substantiation.

12 The technical argument today that I'm
13 presenting is if metal lath and plaster, ceramic
14 tile, quarry tile are acceptable, then why aren't
15 other noncombustible materials or an assembly of
16 noncombustible materials acceptable? And that's
17 what is presented in the ROC.

18 The topic of clearance is addressed in the

19 current Standard 96 in Section 4.2.1, and it says,
20 "Where enclosures are not required, hoods, grease
21 removal devices, exhaust fans, and ducts shall have
22 at least a clearance of at least 18 inches to
23 combustible materials, 3 inches to limited
24 combustible materials, and 0 inches to

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1 noncombustible material."

2 The section we are talking about here is a
3 clarification of the last piece. If you reduce the
4 clearance to zero, if you're dealing with
5 noncombustible material or assemblies of
6 noncombustible material, you really don't even need
7 a list of noncombustible material as it's provided
8 in the standard. The important part of the
9 sentence is other combustible materials or products
10 that are listed for the purpose of reducing
11 clearance.

12 I urge the membership to review the
13 substantiation, provided with comment. If you
14 agree with that substantiation, you will vote in
15 opposition to this motion. Thank you.

16 MR. McDANIEL: Microphone Number 3, please.
17 Would you state your name, affiliation and whether
18 you're for or against the motion.

19 MS. BREWER: Sarah Brewer. I am representing
20 the International Firestop Council, and I'm
21 speaking in favor of the motion today.

22 IFC favors this motion feeling that
23 without this language the ROC text could

24 potentially cause a hazardous condition. Going

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1 back to the point made earlier with regard to
2 specifying a material that is merely noncombustible
3 may not be sufficient to ensure its appropriate
4 for clearance reduction in every case.

5 The point -- the example that was just
6 provided that it might be sufficient for concrete
7 but may not be appropriate for using sheet metal,
8 and I think that example was articulated further in
9 the original ROP in the substantiation that said,
10 "A sheet of light-weight steel, although
11 noncombustible, may not adequately protect a
12 combustible wall when the steel is adhered directly
13 to it."

14 The point here that I'm making is the
15 motion is proposing that both combustible and
16 noncombustible materials and/or assemblies would
17 need to be listed for the purpose of clearance
18 reduction; and that listing process verifies the
19 clearance reduction performance based on the
20 configuration of how it would be installed in the
21 field and that configuration would be defined in
22 the listing.

23 So the wording on this point in the motion
24 is important so that these materials are correctly

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1 installed in the market and would then permit the
2 wording that mirrors the original ROP which the
3 Committee had voted to accept. Thank you.

4 MR. McDANIEL: Thank you. Microphone Number 2,
5 please. State your name and affiliation and
6 whether you're for or against the motion, please.

7 MR. WILLSE: Peter Willse with XL Global Asset
8 Protection Services, and I think I rise in motion
9 -- for the motion.

10 If you take a look at the ROP Page 96-5 at
11 4.2.3.3.4, it says, "Other noncombustible materials
12 or assembly of noncombustible materials that are
13 listed for the purpose of reducing clearance." But
14 yet if you go to the ROC on Number D, that last
15 part of that sentence is omitted.

16 So I'm not too sure whether it was an
17 error in the ROC and it's supposed to be picked up
18 by the ROP or what, but this amending motion will
19 make it so it's positive. Thank you.

20 MR. McDANIEL: Thank you. Is there any other
21 discussion? Microphone Number 5, please. Please
22 state your name, affiliation and whether you're for
23 or against the motion.

24 MR. CONROY: Mark Conroy, Brooks Equipment,

1 against the motion.

2 The previous speaker was wondering if it
3 was a mistake; and, indeed, it was no mistake on
4 the part of the Committee. The Committee made an

5 informed decision that what was in the previous
6 edition is correct. The ROC is just reformatting
7 what's in the current edition of the standard. Let
8 me put my glasses back on.

9 I would like to repeat what the submitter
10 said in the last sentence of the substantiation in
11 the ROC, "A sheet metal backsplash over gypsum
12 wallboard on a steel stud frame wall does not need
13 to be a 'listed assembly'."

14 MR. McDANIEL: Thank you. Microphone Number 3,
15 please. State your name, affiliation and for or
16 against the motion, please.

17 MR. HIRSCHLER: Marcelo Hirschler,
18 GBH International, speaking in support of the
19 motion.

20 Let me clarify. What the ROC says on
21 number -- the fourth, it's a D instead of being a 4
22 in the ROC, "Other noncombustible materials or
23 assembly of noncombustible materials." What the
24 ROP says, "Other noncombustible materials or

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1 assembly of noncombustible materials that are
2 listed for the purpose of reducing clearance."
3 That's the big difference. That's what we want to
4 change. We want those to be listed for the
5 purpose. Please support the motion. Thank you.

6 MR. McDANIEL: Thank you. Microphone, 2
7 please.

8 MR. WILLSE: Pete Willse with XL Global Asset
9 Professional Services. Then I'm totally confused

10 because if I'm looking at the ROC, if something is
11 supposed to be taken out from what is in the ROP,
12 isn't it supposed to be stricken also as a matter
13 of procedure?

14 MR. McDANIEL: Microphone 5.

15 MR. CONROY: Thank you, Mr. Chairman.
16 Mark Conroy, Brooks Equipment, in opposition to the
17 motion.

18 I believe the ROC text is correct and it
19 should not be a requirement for other
20 noncombustible materials or assembly of
21 noncombustible materials to be listed. I think
22 that the Committee debated this at length. They
23 reviewed the comment. The comment states that
24 clearly, and the Committee made an informed

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1 decision to stick with what's in the current
2 edition of NFPA 96.

3 MR. McDANIEL: Thank you. Microphone 3,
4 please. Please state your name, affiliation and
5 whether you're for or against the motion.

6 MS. BREWER: Again, Sarah Brewer, representing
7 the International Firestop Council speaking in
8 favor of the motion.

9 One last comment. I would disagree with
10 the previous speaker in that it appears to me that
11 the Committee reasoning during the ROC may have
12 been misinterpreted of the proponents in 10. Their
13 comment was that the listing was required in the

14 revised language had nothing to -- that the listing
15 of noncombustible materials as being
16 noncombustible, and really this has nothing to do
17 with listing noncombustible material. It's
18 noncombustible. It has to do with listing
19 materials for the purpose of use of reducing
20 clearances. And, again, that's the point in terms
21 of making sure these materials are applied
22 correctly in the field so that the way they're
23 installed are better defined. Thank you.
24 MR. McDANIEL: Microphone Number 5, please.

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1 MR. CONROY: Mark Conroy, Brooks Equipment,
2 against the motion. The previous speaker said that
3 the Committee misunderstood the intent of the
4 submitter. I'll read the recommendation. It says,
5 "Reject the proposal and Revert to the 2011 text."
6 The Committee, in essence, has done that. It's
7 just the reformatting.

8 MR. McDANIEL: Thank you. Microphone number 2.

9 MR. JAEGER: Thomas Jaeger. I call the
10 question.

11 MR. McDANIEL: We have a motion to call the
12 question. Can we have a second?

13 A VOICE: Second.

14 MR. McDANIEL: We'll proceed to the vote on
15 calling the question. 1 for the motion, and 2 to
16 reject.

17 A VOICE: Is that the motion or the question?

18 MR. McDANIEL: On the question. 1 is in favor
Page 96

19 of the motion to accept the call the question; 2 is
20 to reject it. Please record your vote. 5 seconds.

21 Voting is closed. And the motion is to
22 accept to call the question, 130 to 32.

23 So we'll proceed to the voting on the
24 amending motion. Before we vote, let me restate

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1 the motion. The motion on the floor is to reject
2 Comment 96-8. Please record your vote 1 in favor
3 of the motion, accept, or 2, opposed the motion,
4 reject. Please record your vote. Balloting will
5 close in 5 seconds.

6 Balloting is closed. The motion passes,
7 86 to 63.

8 Let's proceed with the discussion of
9 Certified Amending Motion 96-4. Microphone 2,
10 please.

11 MR. SIWY: Good afternoon. My name is
12 Chris Siwy (phonetic). I'm here representing
13 Mr. John Chartier, Chair of the Northeastern
14 Regional Fire Code Development Committee. I'm here
15 to ask for the acceptance of Amending Motion 96-4.

16 MR. McDANIEL: Thank you. There is a motion on
17 the floor to return a portion of a report in the
18 form of identifiable parts of Proposal 96-50 and
19 related Comments 96-22 and 96-24. Is there a
20 second?

21 A VOICE: Second.

22 MR. McDANIEL: We have a second. Please

23 proceed.

24 MR. SIWY: Thank you, Mr. Chairman. The

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1 concern the fire officials have with the new
2 requirement is that it sets a precedent of
3 establishing a provision for automatic
4 retroactivity. Section 1.4.1 of the standard
5 clearly states that the requirements do not apply
6 to existing equipment facilities or installations.

7 NFPA 96 establishes the minimum
8 requirements for protecting commercial cooking. It
9 is not fair for users of this standard who are
10 already compliant and who have met the requirements
11 that were in effect at the time they opened their
12 business be forced to face the additional expense
13 of upgrading to a later edition of NFPA 96 that
14 happens to contain a new requirement. If, indeed,
15 the hazard is so imminent, the AHJ already has the
16 option of making it retroactive.

17 By accepting the new requirement, you will
18 be circumventing the fire official's prerogative to
19 make a decision that is right for their
20 jurisdiction. What is right in one town or state
21 may not necessarily be right for another and,
22 therefore, should not be mandated in this standard.

23 There are already provisions in the
24 standard that require new extinguishing systems

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115

1 when new equipment is added, when old equipment is
2 replaced, when the position of equipment is
3 rearranged, or when there are other similar changes
4 that would affect the protection. Thank you,
5 Mr. Chairman.

6 MR. McDANIEL: Thank you. Mr. Leicht, would
7 you like to give the Committee's position?

8 MR. LEICHT: There was a lot of debate during
9 the Committee proposal and comment stages, and the
10 comment has been rejected. It went to ballot, and
11 it didn't get -- well, it wasn't an overwhelming
12 majority, but it did receive its two-thirds ballot
13 by one vote.

14 MR. McDANIEL: Thank you. With that, we'll
15 open up debate on the motion. Please provide your
16 name and affiliation and whether you're speaking in
17 support or against the motion. Microphone Number
18 6, please.

19 MR. BEEBE: Chad Beebe, American Society of
20 Healthcare Engineering, American Hospital
21 Association. I'm speaking in support of the
22 motion.

23 At the healthcare section business meeting
24 this morning, we voted unanimously to support this

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1 as a section. I think especially in healthcare,
2 with a date of January 1, 2014, with the
3 probability of this document actually being -- not
4 even being adopted until mid year next year some

5 time, to introduce a requirement such as this into
6 a document doesn't make any sense whatsoever.

7 We also firmly believe that this is an
8 option that needs to be discussed between the
9 authority and jurisdictions. We urge you to
10 support this motion.

11 MR. McDANIEL: Thank you. Microphone Number 5,
12 please. Would you state your name, affiliation and
13 for or against the motion.

14 MR. CONROY: Mark Conroy, Brooks Equipment,
15 member of the NFPA 96 Committee, and this motion is
16 simply to --

17 MR. McDANIEL: For or against?

18 MR. CONROY: I'm sorry. I'm against the
19 motion. This motion is to delete part of the
20 comment to delete the requirement for these old
21 systems to be removed and replaced with new
22 UL 300 Compliance Systems.

23 This is a safety issue. It's not an issue
24 where you need an authority having jurisdiction to

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1 make a determination. The old dry chemical
2 systems, they don't work on vegetable oil fires
3 where you change out the appliances to new high
4 efficiency appliances and put vegetable oil in.
5 They simply do not work.

6 So I think the Committee came up with a
7 reasonable requirement because if you have an old
8 system protected by dry chemical, the

9 saponification is not there to extinguish the fire.
10 So you have a problem, a fire problem, a problem
11 for the people working in these commercial cooking
12 facilities, a problem for the responding fire
13 departments.

14 These old dry chemical systems should have
15 been replaced by now, and that's what the preceding
16 paragraph is saying. But the problem we're finding
17 is that old dry chemical systems are still in
18 place, and I think the only way to get rid of these
19 systems that don't work is to have a compliance
20 deadline. And that's all the Committee has done.

21 MR. McDANIEL: Thank you. Microphone Number 1,
22 please. Would you state your name, affiliation and
23 whether you're for or against the motion.

24 MR. TIDWELL: Thank you. I'm Jim Tidwell. I

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1 am representing the Fire Equipment Manufacturers
2 Association, and I am opposed to this motion.

3 The migration from dry chemical to wet
4 chemical has been underway for close to 25 years
5 now. Mark is exactly right. As the cooking media
6 changed, as the equipment changed, these systems
7 were supposed to be changed as that occurred. That
8 has occurred in many restaurants and facilities
9 without a change to the wet chemical system.
10 Whether that's through an oversight or what the
11 reasons, I can't tell you.

12 What I can tell you is that when those dry
13 chemical systems operate on a fire in those

14 facilities that have been upgraded and are using
15 vegetable oil, they will not put the fire out.

16 In terms of the date of adoption, I think
17 when a jurisdiction adopts a standard, if there's a
18 trigger date in this document, that is too early
19 for the jurisdiction. It's very, very easy to
20 amend that kind of a date, and it would -- so when
21 they adopt the standard itself, they should look at
22 that date and find the date that's appropriate for
23 them. I would almost look at the dates of
24 placeholder.

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1 So if you want to allow these systems to
2 continue in operation with the understanding that
3 they're not going to put the fire out, then vote in
4 favor of the motion; but if you're truly in favor
5 of public safety and having systems in these places
6 that work, oppose the motion. Thank you.

7 MR. McDANIEL: Thank you. Microphone Number 4,
8 please. Please state your name, affiliation and
9 whether you're for or against the motion.

10 MR. MAKOWKA: Norbert Makowka, National
11 Association of Fire Equipment Distributors. I'm
12 against the motion.

13 The UL 300 Fire Testing Standard has been
14 around for a couple decades now. Back when it was
15 first proposed and new, I had the opportunity to
16 witness the UL style testing requirement comparison
17 between wet chemical and dry chemical systems

18 applied to moderate cooking appliances using
19 vegetable oil, not just deep fat fryers. And as
20 the previous presenter said, the dry chemical
21 cannot keep these fires out.

22 The other really important fact is that
23 the manufacturers of those dry chemical systems
24 stopped supporting these products up to ten years

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1 ago. The Standard NFPA 17 for Dry Chemical
2 Extinguishers requires a six-year tear-down of the
3 storage cylinder and a replacement that listed a
4 dry chemical agent at parts as required. It's no
5 longer required. So stores or restaurants that are
6 keeping these in process will be doing so with
7 systems that are not compliant to the fire
8 extinguishing standard or the listing or approval
9 for those systems.

10 MR. McDANIEL: Thank you. Microphone Number 5,
11 please. State your name, affiliation and whether
12 you're for or against the motion, please.

13 MR. CONROY: Thank you, Mr. Chairman.
14 Mark Conroy, Brooks Equipment. I'm in opposition
15 to the motion.

16 And just very quickly, unless you're a
17 cooking oil expert, you really can't tell what type
18 of cooking oil is being used. I suppose if you're
19 a code enforcer, you can track down the original
20 container and try to determine the original oil
21 that's put in these fryers. But dry chemical works
22 on the old animal fat that was used in fryolators

23 back in the '70s.

24 So I think we're really dealing with a

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1 safety issue. They need to be pulled by a certain
2 date, and I agree with Mr. Tidwell, when it's
3 adopted, maybe the date can be updated, but I think
4 there needs to be a compliance date in the
5 document.

6 MR. McDANIEL: Thank you. Microphone Number 6,
7 please. State your name, affiliation and whether
8 you're for or against the motion, please.

9 MR. DAGENAI: My name is Dave Dagenais, and I
10 am speaking on behalf of myself. What we're --

11 MR. McDANIEL: For or against the motion?

12 MR. DAGENAI: I'm sorry, for the motion.

13 What we're talking about is taking a level
14 of responsibility and a level of ability away from
15 the AHJ. We've heard other folks today say they
16 exist because there may have been an oversight.
17 They exist because it may have been missed. That
18 still could happen here.

19 We know we have to have relationships
20 without authority having jurisdiction. That is
21 what the premise is built on. By giving them a
22 strict deadline and then suggesting that they
23 change that deadline puts them in a difficult
24 position.

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1 I urge you to support the motion and give
2 our authorities having jurisdiction the ability to
3 do their jobs.

4 MR. McDANIEL: Is there any further discussion?
5 Microphone Number 4, please. Please state your
6 name, affiliation and whether you're for or against
7 the motion.

8 MR. MAKOWKA: Norbert Makowka, National
9 Association of Fire Equipment Distributors,
10 speaking against.

11 There was a previous comment made about
12 the retroactivity clause. There is a precedent in
13 the NFPA Standard 12 for Carbon Dioxide Systems,
14 mandated universal changes to the safety of those
15 systems including all existing systems. There was
16 a fire and a life safety issue that was critical.
17 I think this one is as critical as that one was.
18 Thank you.

19 MR. McDANIEL: Microphone Number 2, please.
20 Please state your name, affiliation and whether
21 you're for or against the motion.

22 MR. SIWY: My name is Chris Siwy. I'm
23 representing Northwest Regional Fire Code
24 Development Committee, and I am for the motion.

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1 It is illogical to make requirements
2 retroactive with the idea that a local AHJ could
3 waive them if they feel they are not needed;

9 Fire Equipment Manufacturers Association. I make
10 the motion to return a portion of the report in the
11 form of Proposal 96-68 and related Comment 96-34.

12 MR. McDANIEL: Thank you. There's a motion on
13 the floor to return a portion of the report in the
14 form of Proposal 96-68 and related Comment 96-34.

15 Is there a second?

16 A VOICE: Second.

17 MR. McDANIEL: There is a second. Please
18 proceed.

19 MR. TIDWELL: Thank you. The original
20 submittal by the proponent was to allow cooking
21 operations to use limited quantities of solid fuel
22 for flavoring to take place without meeting the
23 requirements for solid fuel cooking in Chapter 14
24 of NFPA 96.

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1 What the Committee approved and what we're
2 debating today is somewhat different. The proposal
3 now contains an allowance for more than 50 pounds
4 of wood per 100,000 BTUs of burner capacity without
5 meeting all the requirements for solid fuel
6 cooking. I don't believe that's what the original
7 proponent had in mind.

8 But my argument is similar to the one
9 presented in ROC 96-31 submitted by
10 Mr. David de Vries. He's the Chairman of the 17A
11 Committee, 17A Committee which is the standard for
12 extinguishing these systems for these hazards.

13 Mr. de Vries points out that this is a unique fire
14 hazard that's difficult to control and that
15 regulations are difficult to enforce.

16 The enforcement concern that he points out
17 is the limitation on the amount of solid fuel being
18 used per hour. He also goes on to say that
19 eliminating the need for separate exhaust systems
20 for this kind of an operation has not been
21 thoroughly substantiated.

22 I'm in agreement with Mr. De Vries and I
23 would like to talk a little bit about why. My
24 primary concern is the new allowance in the lead of

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1 the paragraph that deletes the current requirement
2 for a separate exhaust system for this hazard.
3 This hazard is equivalent to a solid fuel cooking
4 hazard. Chapter 14 addresses solid fuel cooking,
5 and the only real difference between a hazard
6 generated by the proposal, and that is solid fuel
7 cooking, is that we're adding a gas fire
8 charbroiler to the solid wood. I submit that that
9 is not a reduction in the hazard.

10 There are no controlled conditions for
11 this change. The gas charbroiler can be loaded
12 with wood. The only limit is the 2000 cubic inches
13 of wood for each 100,000 BTUs of burn capacity.
14 And if you use white oak as an example, 2000 cubic
15 inches is over 50 pounds of wood. There's no
16 requirement to soak the wood prior to its use and
17 it's frequent in many restaurants that the

18 operation could be left unattended especially on a
19 slow night or at the end of a shift when cooking
20 operations diminish. These conditions create a
21 fire hazard that is identical to solid fuel cooking
22 operations which is what Chapter 14 addresses.

23 The effect of this change would be to
24 create two levels of safety for the same hazard,

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1 and there's no substantiation for doing so. I
2 encourage you to vote for the motion. Thank you.

3 MR. McDANIEL: Thank you. Mr. Leicht, would
4 you like to present the Committee's position,
5 please?

6 MR. LEICHT: After we received the original
7 proposal, we saw that there was going to be a lot
8 of questions regarding this particular issue. And
9 so we established a task group of half a dozen or
10 so individuals on the Committee, including some
11 people outside the Committee, who could provide
12 some technical information; and they went and
13 between the ROP meeting and the ROC meeting
14 deliberated I think mostly by phone or webinar or
15 whatever, and they tried to respond and come up
16 with some kind of compromise to provide what the
17 proposer was trying to seek without kind of giving
18 away the bank.

19 So they wound up with a -- they had a lot
20 of questions, including some of the questions that
21 the speaker had just raised, and then they wound up

22 with a Committee comment, and that went to -- that
23 got accepted and went to ballot, and although not
24 unanimous, it was almost unanimous with only two

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1 negative votes.

2 MR. McDANIEL: Okay. Thank you, Mr. Leicht.
3 And we'll proceed with the discussion. Microphone
4 Number 5, please. State your name, affiliation and
5 whether you're for or against the motion.

6 MR. PENNEL: I'm Gayle Pennel with AON Fire
7 Protection Engineering. I'm speaking against the
8 motion.

9 I put the original proposal together
10 working with Brad Larson (phonetic). There is a
11 significant difference between the use of wood for
12 cooking and wood for flavoring. We did a lot of
13 testing on this. The wood that was used for
14 flavoring in the application added no temperature
15 rise whatsoever in tests where the gas burners were
16 used and then gas burners with wood was used. The
17 wood was not contributing to the cooking.

18 And there is a significant cost impact on
19 this. And when the wood is used strictly for
20 flavoring, you really do not get any benefit,
21 additional life safety for the monies spent to
22 provide separate vent hoods, especially in existing
23 installations.

24 The International Mechanical Code has just

♀

1 changed in this go-around. They now allow a common
2 vent hood when solid fuel is used for flavoring
3 only. And the proposal was put together with the
4 task group, and we really looked at a lot of
5 issues. And one of the issues that we looked at,
6 if somebody does happen to stuff that container
7 full of wood, the fire protection system will still
8 put it out. That is the way the fire protection
9 system is tested, and it will not pass the test
10 unless it is tested that way.

11 In addition, it makes a total difference
12 in the flavoring that you're getting. You stuff
13 that thing full of wood, you get a totally
14 different product. There is a tremendous need for
15 the user to maintain strict controls on this. The
16 amount of wood is controlled in there, but it's
17 only allowed to burn 4.5 pounds per hour. That can
18 be easily documented. Procedures can be
19 documented, reviewed by the local authority.

20 We have presented this to different
21 authorities on an alternate means methods, and they
22 found it easily enforceable and acceptable. Thank
23 you.

24 MR. McDANIEL: Thank you. Microphone Number 3,

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1 please. Would you state your name, affiliation and
2 whether you're for or against the motion.

3 MR. SAMPSON: Sure. Marc Sampson, fire
Page 111

4 protection engineer, City of Longmont, Colorado,
5 representing Fire Marshals Association of Colorado
6 and for the motion.

7 I'm unsure if this is a problem with other
8 parts of the country, but in Colorado, we did
9 engage with Sherver (phonetic) and Darden
10 restaurants in 2009 when it became a problem. They
11 came up as an alternate means and methods and we
12 did agree to some alternate means and methods.

13 The problem with this Code proposal is
14 that you are going to have 4.5 pounds of wood, and
15 how is it enforcement? You're putting something in
16 the Code that is unenforceable to the AHJ. I don't
17 know how I'm supposed to go in there to make sure
18 that they determine that they're not burning with
19 4.5 pounds of wood per hour, and then I got to look
20 up the stove to make sure that they got the right
21 100,000 BTU per hour of gas burner capacity. Or do
22 I just burn it for an hour and then measure it and
23 everything else?

24 So what I don't see -- what I don't want

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1 to see is an unenforceable provision put into the
2 Code, and I support the motion.

3 MR. McDANIEL: Thank you. Microphone Number 5,
4 please. Please state your name, affiliation and
5 whether you're for or against the motion.

6 MS. NELSON: My name is Debbie Nelson. I am
7 the Director of Facilities for Red Lobster

8 Restaurants located throughout U.S.A. and Canada.

9 I'm opposed to the motion.

10 In 2008, Red Lobster developed a program
11 using smoke-enhanced wood flavoring using Baker's
12 Pride Gas-Radiant Charbroiler with smoker
13 accessories. Red Lobster and Baker's Pride
14 requested certification from the CSCA International
15 to certify the equipment as a gas-fired commercial
16 cooking appliance. It was approved and tied to
17 Certificate 1156345.

18 Initial testing was performed in our
19 culinary kitchens in Orlando, Florida. We tested
20 it for 30 restaurants for a full year before we
21 implemented the program. During that year,
22 Red Lobster made extra efforts to ensure that the
23 safety standards were being observed, and we worked
24 with many experts in the field to determine that we

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1 were adhering to best practices, creating
2 documented consistent cooking procedures that could
3 be accepted by fire marshals and AHJs.

4 We worked with GCS, Captivator,
5 Simplex/Grinnell, Dunnwell Cintas, and Tyco ANSUL
6 to determine the correct fire suppression coverage.
7 We implemented many safety processes and proceeded
8 with the launch.

9 So in the spring of 2009, after all of
10 these experts viewed our program and determined
11 that our cooking operation was safe using a common
12 vent hood, we launched the program to 700 U.S.A.

13 restaurants and 27 Canadian restaurants. In 2010,
14 we obtained the services of Schirmer Engineering to
15 review our program and processes and prepared an
16 unbiased report for the Colorado Fire Marshals.

17 Separate vent hoods had become a
18 significant issue with over 700 restaurants that
19 would be affected by the Code changes that extended
20 the requirements for separate vent hoods from solid
21 fuel to smoke flavoring.

22 Schirmer Engineering completed their
23 review of the gas charbroiler with the smoker
24 accessories, prepared their report. We met with

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1 the Colorado Fire Marshals, and we determined it
2 was a heavy duty piece of equipment not requiring
3 separation of hoods.

4 We also did UL testing. We actually went
5 and had the UL listing performed, and it concluded
6 that we have the correct fire suppression. We did
7 a heat check test to determine that there was
8 negligible surface heat to the grill or to the
9 exhaust hoods.

10 The best part of the statement that I can
11 say is that Red Lobster has been operating with the
12 grills since 2008. For five years, we've had no
13 fires due to this program. We have documented
14 cooking procedures to maintain consistency and
15 acceptance of the fire marshals. We use two pieces
16 of wood in our grill. We don't load it. And the

17 fire tests -- the UL fire tests loaded 40 pieces of
18 wood, and the fire was extinguished in less than
19 8 seconds.

20 So we urge the recommendation of the
21 Committee, and we urge you to vote against this.

22 MR. McDANIEL: Thank you. Microphone Number 2,
23 please. Would you state your name, affiliation and
24 whether you're for or against?

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1 MR. MURPHY: My name is Jim Murphy. I'm with
2 the Amerex Corporation. I am an NFPA 96 Committee
3 member, and I am there as a directive coach for the
4 Fire Equipment Manufacturers Association.

5 Respectfully, we do understand that the
6 Red Lobster group has tremendous quality control.
7 They have wonderful maintenance programs in place.

8 However, if we go forward with the
9 proposal as it is, it would allow others without
10 those quality control programs in place to add, as
11 Mr. Tidwell said, up to 50 pounds of hardwood. The
12 work that Red Lobster did, and they did it with the
13 ANSUL Company for testing, they followed the
14 traditional UL 300 test protocols for a gas-radiant
15 fryer which is to say they put fatty meat steaks
16 and a grease load on top of the grate surface with
17 their gas-radiant fryer, had hardwood, clean-cut
18 pieces underneath as they used them. Again, my
19 complements to them.

20 But if we change 96 now, it would allow
21 wood chips also. It would allow them again to be

22 stacked at different layers.

23 So my point would be that we really have
24 not done a worst case test scenario for other

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1 operators. And, again, since many of us have
2 cooked in our backyards with chicken and we realize
3 how much grease can penetrate through a gas-radiant
4 surface and get down to the box where these wood
5 flavoring chips might be, that box really in the
6 worst case test scenario belongs in (phonetic)
7 grease load. The wood chips also should be
8 seasoned as we would expect in many restaurants,
9 that is, resoaked.

10 Our fear again is that the combustion
11 process, not in Red Lobster, but in other
12 applications, certainly could contribute to fires,
13 and significantly we already have enough fires in
14 the United States in restaurants. The Restaurant
15 Association says we have about 950,000 eating and
16 drinking establishments in the U.S.

17 NFPA documents, depending on what year we
18 look at, that we have 11,000 fires per year in
19 these places of public assembly. We need an
20 extreme amount of caution as we go to change what
21 we're allowing to do by placing a working class A
22 fire in these establishments. Again, I'm speaking
23 for this proposal. Thank you.

24 MR. McDANIEL: Thank you. Microphone Number 5,

1 please. Please state your name, affiliation and
2 whether you're speaking for or against the motion.

3 MR. MORGAN: Good afternoon. My name is
4 Mike Morgan. I'm with Captivator Systems. I am
5 speaking in opposition. We are a -- I come with
6 20 years of experience in commercial kitchen
7 ventilation. Our company is a manufacturer. We
8 manufacture hoods, filters, listed duct systems,
9 single wall, double wall, the fan packages,
10 UL 300-approved fire systems. So we can talk
11 performance, energy efficiency, rainbows and
12 butterflies until we're blue in the face all day
13 long, but the first and foremost and most important
14 component here is fire safety.

15 Using a small amount of wood for
16 wood-assist flavoring is clearly a different
17 challenge than true solid fuel cooking
18 applications. As demonstrated in the testing and
19 the reports, the incremental heat from the
20 wood-assist is negligible. The incremental
21 emissions built up in the hood and duct, again, is
22 negligible.

23 As previously stated, when testing these
24 fire systems to the UL 300 Standard, they take a

1 worst case scenario, much more intense than what
2 you're going to see in all these operations.

3 So I think Red Lobster does a good job,
4 but I don't think they're doing anything super
5 unique. And when we talk about statistics and
6 restaurant fires, yes, restaurants do catch on fire
7 sometimes. There are statistics. But there's no
8 connection between these restaurant fires and, hey,
9 there was a little bit of wood-assist flavoring
10 that created an incremental hazard, that created
11 that fire.

12 So I think in the spirit of NFPA 96, we
13 want to make sure that we match the right safety
14 requirements appropriate to the hazard. We want to
15 have safe, we want to have practicable, and we want
16 to have appropriate measures in place; and
17 extending this requirement for a dedicated hood,
18 duct, and fan simply by using a heavy duty
19 appliance with some wood-assist for flavoring is
20 simply not the same challenge as solid fuel.

21 Again, UL 300 is the standard that these
22 fire suppression systems must meet, and these fire
23 suppression systems quickly and effectively put out
24 that fire and do not allow for any re-ignition.

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1 So when we take a look at the real world
2 and what's safe, reasonable, and practical, I would
3 urge the Committee to vote against the current
4 motion.

5 MR. McDANIEL: Thank you. Microphone Number 3,
6 please. Would you state your name, affiliation and
7 whether you're for or against the motion.

8 MR. de VRIES: Thank you, Mr. Chairman. I'm
9 David de Vries, from Firetech Engineering,
10 Incorporated. I am speaking in favor of the
11 motion.

12 As Mr. Tidwell point out, I chair the NFPA
13 Technical Committee on Wet and Dry Chemical
14 Extinguishing Systems. This is a concern of mine
15 both as a fire protection engineer and on behalf of
16 that Committee, although I'm speaking here today
17 only for myself.

18 One of my professional duties as a fire
19 protection engineer is to analyze the origin,
20 cause, and spread of fires. In the past few years,
21 I've been called to look at fires in four
22 restaurants using solid fuel for cooking or
23 flavoring. Two of those fires happened in a solid
24 fuel charbroiler exhaust system that were separated

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1 from the cooking line exhausts, reasonably
2 well-designed and constructed in accordance with
3 NFPA 96 and local codes, but they shared two
4 characteristics in common: There was a significant
5 accumulation of grease in the exhaust system and
6 the spark-arrestor filters showed signs of wear and
7 damage.

8 In both cases, one or more embers from the
9 burning solid fuel entered the exhaust system,
10 ignited grease, and caused significant damage.
11 Fortunately, in those cases, there were no personal

12 injuries. The property damage amounted to a
13 hundred thousand in one and nearly 500,000 in the
14 other.

15 Because the fire started downstream of the
16 extinguishing system detection, the fires went
17 unnoticed until passersby saw flames coming out the
18 exhaust vents on the roof.

19 The other two fires involving solid fuel
20 included one where wood was used in a smoker that
21 was under a common hood with other appliances. The
22 wood was intended to be kept moist, but inadequate
23 water was placed in the smoker box and the wood
24 ignited into flaming combustion. The local AHJ had

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1 already determined that the smoker did not emit
2 grease vapors so did not require an extinguishing
3 system to cover that appliance.

4 The fire spread into the exhaust system,
5 igniting the grease left by other appliances under
6 the common hood; and although it was initially
7 extinguished in the exhaust system, it was
8 re-ignited after the agent dissipated taking down
9 the roof of the restaurant.

10 There's a pattern here. We have human
11 factor weaknesses related to cleaning of exhaust
12 systems, maintenance of spark-arrestor filters,
13 improperly preparing the wood for smoky flavor. We
14 can mitigate some of these human factor weaknesses
15 by engineering a more robust separate system where
16 solid fuel is used.

17 I encourage the members to vote in favor
18 of the motion and return the proposal and comment
19 to the Committee for further action. Thank you.

20 MR. McDANIEL: Thank you. Microphone Number 5,
21 please. Would you state your name, affiliation and
22 whether you're speaking for or against the motion.

23 MR. PENNEL: The name is Gayle Pennel. I speak
24 against the motion. In the example cited --

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1 MR. McDANIEL: Give your affiliation, please.

2 MR. PENNEL: I work for Aon Corporation, Aon
3 Fire Protection Engineering.

4 In the example cited, you had a huge
5 build-up of grease in the ducts. You get a fire,
6 you got a problem.

7 Nothing that is in the standard either for
8 or against this is going to change that. What is
9 being proposed here is a very straightforward
10 proposal that provides appropriate protection. It
11 provides protection for the wood. The requirement
12 is the extinguishing system has to put out the fire
13 completely, including the wood. There is a limit
14 of 4.5 pounds.

15 I hear all the time that we need language
16 that is enforceable. You give language that is
17 enforceable, then we're told it's not enforceable.
18 4.5 pounds is enforceable. You walk in there, you
19 see eight logs in your burner, you're over
20 4.5 pounds. It's very easy to document how much

21 wood it takes for it to add to the limit. And you
22 had documentation on how that wood is to be used.
23 That can be reviewed, and when they come in for an
24 inspection, it's very easy to enforce. Thank you.

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1 MR. McDANIEL: Thank you. Microphone Number 3,
2 please. State your name, affiliation --

3 MR. TIDWELL: Jim Tidwell, representing the
4 Fire Equipment Manufacturers Association.

5 And I want to clarify what that 4.5 pounds
6 says. Read the words on the page. The standard
7 language is --

8 MR. McDANIEL: For or against the motion,
9 please?

10 MR. TIDWELL: I'm against the motion -- I'm in
11 support of the motion. I made the motion. I am
12 still in support of it.

13 The 4.5 pounds is the consumption rate per
14 hour. That's the consumption rate. Now how you
15 enforce that, I don't know. I guess you can weigh
16 it before and weigh it after, and there's probably
17 a way to do it; but not many inspectors are going
18 to hang around for the number of hours it takes to
19 do that.

20 The real issue is while Red Lobster and
21 some of the other restaurants have great processes
22 in place to avoid some of the pitfalls associated
23 with solid fuel cooking, those best practices did
24 not make it into 96 NFPA. They did not make it

1 into this proposal.

2 This proposal allows up to 2000 cubic
3 inches of wood. And if you weigh 2000 cubic inches
4 of white oak, which is what a lot of them use for
5 flavoring, it's over 50 pounds. And it's over
6 50 pounds per 100,000 BTUs of burner capacity.
7 It's not 4 and a half pounds. It's not the smoker
8 chips that are sitting in a bucket of water. These
9 are the allowances that are in the Code.

10 I'm not saying these restaurants don't
11 have great best practices. They may be able to
12 operate in a way that doesn't create significant
13 additional hazards, but that's not what NFPA 96 is
14 going to say if you don't accept this motion. This
15 motion simply takes it back to the way it was. The
16 restaurant seems to be operating okay under these
17 circumstances. They are, in fact, using wood out
18 there for flavoring. They're doing it on their
19 alternate materials and methods.

20 I would suggest that until the Committee
21 can place these controls that some of these
22 restaurants have put in place in order to address
23 the hazards that we keep the requirements as they
24 are. Please support the motion.

1 MR. McDANIEL: Thank you. Microphone Number 1,
2 please. Would you state your name, affiliation and
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3 whether you're for or against the motion.

4 MR. CLARY: Shane Clary, Bay Alarm Company. I
5 call the question.

6 A VOICE: Second.

7 MR. McDANIEL: We have a motion and a second to
8 call the question. We'll proceed to the vote on
9 calling the question. Please record your vote, 1
10 in favor of the motion, accept, or 2, opposed to
11 the motion, reject. Please record your vote.
12 5 seconds.

13 Voting is closed. The motion carries,
14 115 to 21.

15 We will proceed directly to the balloting
16 on the motion before it. Before we vote, let me
17 restate the motion. The motion on the floor is to
18 return a portion of a report in the form of
19 Proposal 96-68 and related Comments 96-34. Please
20 record your vote, 1 in favor of the motion, accept,
21 or 2, opposed to the motion, reject. Please record
22 your vote. 5 seconds.

23 Voting is closed. And the motion is
24 rejected. 67 to 65. Okay. Thank you.

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1 Is there any further discussion of
2 NFPA 96? Seeing none, we'll move to the next
3 document. Thank you, Mr. Leicht.

4 MR. LEICHT: Thank you.

5 MR. McDANIEL: Before we begin the next
6 document, I would introduce John Rickard, member of

7 the Standards Council who will be the presiding
8 officer for the next document. John?

9 MR. RICKARD: Thank you. The next report under
10 consideration this afternoon is that of the
11 Technical Committee on Liquefied Petroleum Gases.
12 Here to present the Committee report is Committee
13 Chair Frank Mortimer of EMC Insurance Company,
14 Des Moines, Iowa. The Committee report can be
15 found in the blue 2013 Annual Revision Cycle ROP
16 and ROC. The Certified Amending Motions are
17 contained in the Motions Committee report and
18 behind me on the screen.

19 We will proceed in the order of the motion
20 sequence number presented. Mr. Mortimer, please.

21 MR. MORTIMER: Mr. Chair, ladies and gentlemen,
22 the report of the Technical Committee on Liquefied
23 Petroleum Gases is presented for adoption and can
24 be found in the Report on Proposals and Report on

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1 Comments for the 2013 Annual Meeting Revision

2 Cycle.

3 The Technical Committee has published a
4 report consisting of a partial revision of NFPA 58,
5 Liquefied Petroleum Gas Code. The report was
6 submitted to a letter ballot of the Technical
7 Committee that consisted of 30 voting members. The
8 ballot results can be found on Pages 58-2 to 58-127
9 of the Report on Proposals and Pages 58-2 and 58-33
10 of the Report on Comments.

11 The presiding officer -- the fourth one I
Page 125

12 might add -- will now proceed with the Certified
13 Amending Motion.
14 MR. RICKARD: Thank you, Mr. Mortimer. Let's
15 now proceed with the discussion on Certified
16 Amending Motions in NFPA 58. Microphone 2, please.
17 MR. McTIER: My name is Sam McTier, and I move
18 the acceptance of 58-1 (sic).
19 MR. RICKARD: There is a motion on the floor to
20 accept Comment 58-25. Is there a second?
21 A VOICE: Second.
22 MR. RICKARD: I hear a second. Please proceed
23 with the discussion on the motion, Mr. McTier.
24 MR. McTIER: 58-25 covers requirements in

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1 Subsection 5.7.4 which was container valves and
2 other appurtenances and Paragraphs 5.7.4.2 through
3 5.7.4.4 and Table 5.7.4.1 that was container
4 connections and appurtenances requirement for
5 containers used in other than bulk plants and
6 industrial plants. (Inaudible)
7 The National Gas Association Technology
8 Standards Committee agreed to replace the original
9 ROP 41 with ROC 25 after reviewing and comparing
10 the two versions of the proposals and Report on
11 Comments. As a result, the original 58-41 was
12 passed by the Committee.
13 After taking a new look, why, the original
14 vote on 58-25 did not pass, but after we -- after
15 Report on Comments where we compared the two

16 versions covering the same issue, we found out that
17 originally on the second vote or this final vote,
18 we have 11 positive votes by members of the 58
19 Committee; and, after Report on Comments, we got a
20 11 more votes once they understood the differences
21 and so on. They apparently agreed to accept the
22 new changes made in the rest of the comments; and,
23 therefore, they are needed, we feel, to be
24 accepted.

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1 MR. McDANIEL: Thank you. Mr. Mortimer, would
2 you care to offer the Committee's position?

3 MR. MORTIMER: Yes. Before I do that, I would
4 like to say that Mr. McTier has helped NFPA 58, the
5 LP Gas Code, be much more grammarly correct and in
6 line with manual of style, and I applaud all of his
7 efforts.

8 With that said, this is a comment that the
9 ballot of the Technical Committee just as
10 Mr. McTier mentioned showed 11 affirmative,
11 50 negative. The Technical Committee is very split
12 on this comment, and some of the changes were more
13 than editorial. And while some changes may be
14 needed on 5.7.4.1, the Technical Committee feels it
15 should be done during the next Cycle and the
16 current 5.7.4.1 be allowed to stand.

17 I urge that you accept the work of the
18 Technical Committee.

19 MR. RICKARD: Thank you, Mr. Mortimer. And
20 with that, we will open the debate on the motion.

21 Please provide your name and affiliation and
22 whether you're speaking in support of or against
23 the motion. Microphone Number 2.

24 MR. SWIECICKI: Bruce Swiecicki with the

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1 National Propane Gas Association, speaking in
2 support of the motion.

3 We believe that the change is needed so
4 that we can correlate the previously accepted work
5 that the Committee did on defining bulk plants
6 within the new edition of NFPA 58. I think the
7 fact that in the ROC the vote was 11 to 15 to
8 vacate the work of the Committee makes it evident
9 that the Committee views this as an oversight and
10 we need to accept this motion in order to rectify
11 the situation.

12 MR. RICKARD: Thank you. Microphone Number 2.

13 MR. FREDENBURG: Richard Fredenburg, North
14 Carolina Department of Agricultural and Consumer
15 Services, speaking in support of the motion.

16 I just wanted to stress that the Committee
17 voted in majority against this rejection of the
18 comment, but at this point in the stage, it took
19 more than that amount to turn it over. So just my
20 support for the motion.

21 MR. RICKARD: Thank you. Is there any other
22 discussion on this motion?

23 Mr. Mortimer, would you care to make final
24 comments?

1 MR. MORTIMER: I would urge the membership to
2 support the work of the Technical Committee.

3 MR. RICKARD: Thank you, Mr. Chair. Before we
4 move to vote, let me restate the motion. The
5 motion on the floor is to accept Comment 58-25.
6 Please record your vote. Vote number 1 in favor of
7 the motion to accept or 2, to oppose the motion or
8 reject. 5 seconds.

9 Voting is closed. And the motion fails by
10 a vote of 46 to 45.

11 MR. MORTIMER: Obviously you're just as split.

12 MR. RICKARD: I guess that's consistent with
13 the Committee.

14 Let's now proceed with the discussion on
15 Certified Amending Motion 58-2.

16 A VOICE: Is there a quorum? Is there a
17 quorum?

18 MR. RICKARD: We're at Microphone 2. Until we
19 have a motion on the floor, we can't address the
20 issue of quorum.

21 A VOICE: I thought that was addressing the
22 previous vote.

23 A VOICE: You have to make that motion.

24 MR. RICKARD: Challenging a quorum must be made

1 in the form of a motion.

2 A VOICE: I call whether or not we have a
3 quorum.

4 MR. RICKARD: There's a motion on the floor as
5 far as if we have a quorum. Do I have a second?

6 A VOICE: Second.

7 MR. RICKARD: Let me clarify that this is a
8 motion for quorum. From this point forward, we
9 cannot go back retroactively to the previous vote.
10 Is that correct?

11 A VOICE: That's correct.

12 MS. BEASLEY-CRONIN: Could NFPA staff please
13 come forward?

14 MR. RICKARD: NFPA staff is going to do a hand
15 count of each person here so we can determine a
16 quorum. The vote is not necessarily an indication
17 of whether there's a quorum because people who
18 abstained from voting were not included in the
19 vote. So we'll count each person individually.

20 This will be from this point forward.
21 However, we cannot go back and change the previous
22 action. The previous motion did fail.

23 The other thing I would like to clarify is
24 that if there is not a quorum present, the

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1 proceedings will stop for the day and there will be
2 no action on this -- no more action on NFPA 58. I
3 would also point out if you would like to continue,
4 the person who made the motion can -- what's the
5 term I'm looking for?

6 Please, all voting members, please be in
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7 the section so we can count you. If you're
8 standing in the back or outside, please move
9 forward so we can count you, all voting members.

10 The count is 137 voting members here. We
11 do have a quorum. So we're going to proceed to
12 discussion on Certified Amending Motion 58-2.
13 Microphone 2.

14 MR. FREDENBURG: I'm Richard Fredenburg,
15 North Carolina Department of Agriculture and
16 Consumer Services. I'm voting to move acceptance
17 of 58-2.

18 MR. RICKARD: Thank you. There is a motion on
19 the floor to accept Proposal 58-73. Is there a
20 second?

21 A VOICE: Second.

22 MR. RICKARD: I hear a second. Mr. Mortimer,
23 would you like to offer the Committee's position,
24 please?

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1 MR. MORTIMER: I would be glad to. The motion
2 was considered by the Technical Committee, and in
3 the review, they chose to revise the existing
4 Section 6.3.7 rather than add a new section --

5 MR. HIRSCHLER: Point of order. The gentleman
6 who made the motion hasn't explained anything yet
7 before the rebuttal.

8 MR. RICKARD: I'm sorry. You're right.

9 MR. MORTIMER: I will go either way.

10 MR. RICKARD: Good catch. Thank you.

11 MR. FREDENBURG: I was wondering about that
12 myself.

13 MR. RICKARD: Please continue.

14 MR. FREDENBURG: Richard Fredenburg, North
15 Carolina Department of Agricultural and Consumer
16 Services speaking in favor of the motion. I'm
17 presenting it for Jay Hardwick, Oregon Fire
18 Marshal's Office, who is the author of the motion.

19 Jay identified a prior requirement in the
20 1989 edition of the LP Gas Code that appears to
21 have been mistakenly removed when another change
22 was made. This requirement had been in place for
23 about 20 years before its inadvertent removal.

24 After some tedious searching of the ROP

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1 and ROC for the '92 edition, I found the source of
2 the error. This has been discussed with a member
3 of NFPA staff who does not deny the error. I am
4 not asking to revert to that language because of
5 the error. Basically Jay is asking to have the
6 requirement for not placing ASME tanks under
7 buildings reinstated by his proposal for the
8 upcoming edition. Part of his rationale is that
9 these tanks have a significantly lower relief valve
10 setting, 250 psi instead of the DOT cylinder
11 setting of 375 psi.

12 The Technical Committee's statement that
13 "The practical time difference between the start to
14 discharge pressures of the relief valves is
15 negligible" was unsupported by any calculations or

16 other supporting information. It was made only as
17 an argument during the Committee meeting.

18 It is obviously going to take some
19 quantifiable time to raise the liquid temperature
20 another 30 to 40 degrees to get to the 50 percent
21 higher pressure, especially with a relatively full
22 tank. This is time that could allow emergency
23 responders to put water on a cylinder to keep it
24 from leaking. Without this extra time, an ASME

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1 tank is more likely to relieve under the building.

2 We are asking for your support in
3 restoring the previous language to restrict from
4 installing ASME open tanks under buildings.

5 MR. RICKARD: Thank you. Now Mr. Mortimer.

6 MR. MORTIMER: This motion was considered by
7 the Technical Committee, and in their review, they
8 chose to revise the existing Section 6.3.7 rather
9 than add a new Section 6.3.8 as was requested. In
10 making the change, and I quote, "Containers less
11 than 125 gallons water capacity shall not be
12 located and installed underneath any building
13 unless the space is open to the atmosphere for
14 50 percent of its perimeter or more."

15 The Committee action is appropriate
16 because it specifies a minimum openness of the
17 space so that any discharge can be diluted and
18 readily dissipated or dispersed. Additionally,
19 Section 6.3.8 currently specifies the location of

20 the relief valve discharge with respect to ignition
21 and building openings.

22 I urge you to support the Technical
23 Committee action.

24 MR. RICKARD: Thank you, Mr. Mortimer. With

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1 that, we will open up debate on the motion. Please
2 provide your name and affiliation and whether
3 you're speaking in support of or against the
4 motion. Microphone 4.

5 MR. SWIECICKI: Bruce Swiecicki with the
6 National Propane Gas Association speaking in
7 opposition to the motion on the floor, pointing out
8 again that the Code already addresses the location
9 of the point of discharge of pressure relief
10 devices which is one of the problems with the
11 proposal. It talks about a discharge which can
12 infer we're talking like a plume. It's very
13 difficult to limit the travel of a plume.

14 So we've got 6.3.8 already in the Code.
15 The problem with the wording is the discharge. So
16 we're in support of what the Committee did and urge
17 you to support the Committee on this.

18 MR. RICKARD: Microphone Number 2.

19 MR. FREDENBURG: Richard Fredenburg, North
20 Carolina Department of Agriculture and Consumer
21 Services once more speaking in support of the
22 motion.

23 Our intent is to try to keep what could
24 become a blow-torch effect from being underneath

1 the building.

2 MR. RICKARD: Is there any further discussion
3 of Motion 58-2 to accept Proposal 58-73?
4 Mr. Mortimer?

5 MR. MORTIMER: Just urging you to support the
6 Technical Committee action.

7 MR. RICKARD: Thank you. All right. Before we
8 vote, let me restate the motion. The motion on the
9 floor is to accept Proposal 58-73. Please record
10 your vote, 1 in favor of the motion to accept, or
11 2, oppose the motion, reject. Please vote now.
12 5 seconds.

13 Voting is now closed. And the motion
14 passes by a vote of 54 to 45.

15 Let's now proceed to the discussion on
16 Certified Amending Motion 58-3. Microphone 2,
17 please.

18 MR. FREDENBURG: Richard Fredenburg,
19 North Carolina Department of Agriculture and
20 Consumer Services, voting -- moving to accept
21 Comment 58-50.

22 MR. RICKARD: There is a motion on the floor to
23 accept Comment 58-50. Is there a second?

24 A VOICE: Second.

1 MR. RICKARD: Thank you. We do have a second.
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2 Please proceed with the discussion on the motion.

3 MR. FREDENBURG: Again, Richard Fredenburg
4 speaking in favor of the motion.

5 After a propane delivery person was killed
6 when the tank he had just filled slid down the hill
7 and pinned him against the tree, I searched the LP
8 Gas Code about the requirements for installing
9 tanks and inspecting tanks to be sure they are
10 still qualified to be filled. I found a
11 requirement for a firm foundation for DOT cylinders
12 but no equivalent for ASME tanks or the larger
13 containers.

14 True, the tanks are required to be on
15 concrete and masonry, which this tank was, but
16 nothing is required about the stability of the
17 ground underneath the concrete blocks. We have
18 found a small number of tanks that are set into
19 notches and hills where water erosion has
20 undermined the blocks the tanks sit on including
21 this one.

22 This proposal and comment dealt with using
23 the simple precedence set for cylinders and having
24 it for tanks. The Committee failed to recognize

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1 that precedent and continued to say that being on
2 concrete or masonry was sufficient. It clearly was
3 not in the case of this tragic accident.

4 I'm asking for your support to correct
5 this deficiency in the Code.

6 MR. RICKARD: Thank you, Mr. Mortimer, would
7 you like to offer the Committee's position?

8 MR. MORTIMER: Thank you, Mr. Chairman. While
9 my heart goes out to the family of the person
10 described as substantiation of this incident, this
11 proposal fix will not help and is not needed.

12 The Technical Committee felt the current
13 6.6.3.1 addressed the concern as it calls for tanks
14 to be placed on, and I quote, "Masonry or other
15 noncombustible structural supports located on
16 concrete or masonry foundations with the container
17 supports."

18 The Technical Committee felt this was more
19 than enough, and that adding this would not assist
20 in preventing a poorly engineered installation as
21 this appears to have been the problem.

22 I urge you to support the Technical
23 Committee action.

24 MR. RICKARD: Thank you. With that, we will

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1 open up debate on the motion. Please provide your
2 name and affiliation and whether you're speaking in
3 support of or against the motion. Microphone 4.

4 MR. SWIECICKI: Bruce Swiecicki with the
5 National Propane Gas Association speaking in
6 opposition to the motion on the floor.

7 Again, the term "firm foundation" is too
8 ambiguous. It's unenforceable. The Code already
9 requires a tank to be set on concrete or masonry
10 foundation, and you can't get much firmer than

11 that.

12 I urge you to support the Committee and
13 vote against the motion.

14 MR. RICKARD: Thank you. Microphone Number 2.

15 MR. FREDENBURG: Richard Fredenburg, North
16 Carolina, Department of Agriculture and Consumer
17 Services, again, speaking in favor of the motion.

18 I point out that the term "firm
19 foundation" is already in the Code and is used by
20 the enforcing authorities to deal with cylinders
21 and how they're placed. All we're asking is that
22 it be added -- extended to ASME tanks for the same
23 reasons. Just because a tank is sitting on
24 concrete or masonry or other structure does not

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1 mean that what is underneath that structure is
2 solid and could stand in place.

3 MR. RICKARD: Is there any further discussion
4 on Motion 58-3 to accept Comment 58-50? Mr. Chair?

5 MR. MORTIMER: Again, the Technical Committee
6 is certain that this is not going to assist a
7 poorly engineered installation, and we urge you to
8 support the Technical Committee's actions.

9 MR. RICKARD: Thank you, Mr. Chair. Before we
10 vote, let me restate the motion. The motion on the
11 floor is to accept Comment 58-50. Please record
12 your vote, 1 in favor to accept, or 2, opposed to
13 the motion, reject. Please vote now. 5 seconds.

14 Voting is closed. Motion passes by a vote

15 of 54 to 49.

16 Let's now proceed with the discussion on
17 Certified Amending Motion 58-4. Microphone 2,
18 please.

19 MR. FREDENBURG: My name is Richard Fredenburg,
20 North Carolina Department of Agriculture and
21 Consumer Services moving to accept an identifiable
22 part of Comment 58-79.

23 MR. RICKARD: There is a motion on the floor to
24 accept an identifiable part of Comment 58-79. Is

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1 there a second?

2 A VOICE: Second.

3 MR. RICKARD: I hear a second. Please
4 proceed with the discussion on the motion.

5 MR. FREDENBURG: Again, Richard Fredenburg
6 speaking in favor of the motion.

7 The Committee saw fit to revise the
8 requirement for an identified and acceptable pump
9 shut-off for propane dispensers to be moved out
10 doors. It was not a retroactive requirement. This
11 comment has to make it retroactive.

12 A similar requirement change in another
13 Code for gasoline pump shut-offs was made many
14 years ago and also was not retroactive. I'm told
15 by fire inspectors that it took over 20 years to
16 get all of the switches moved out doors. If there
17 is a fire or other incident at the dispenser going
18 into the building to shut off the pump, it would
19 violate the training about running into a building

20 when an incident occurs.

21 Even though we inspect and tell stores to
22 move stacked products to allow access to the
23 electrical panels that have these switches,
24 compliance is not swift and coming. Ironically, a

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1 recent response from an inspective party pointed
2 out that the inaccessibility of the panel is a
3 reason it would take them a while to correct the
4 problem.

5 I'm asking for your support in making this
6 new requirement retroactive.

7 MR. RICKARD: Thank you. Mr. Mortimer, would
8 you like to offer the Committee's position?

9 MR. MORTIMER: Thank you, Mr. Chair. On the
10 initial Proposal 58-127, the Technical Committee
11 did adjust some of the wording in 6.24.3.14, but
12 did not accept the retroactive portion which I
13 quote, "All dispensing locations must meet this
14 requirement no later than January 1, 2017, or
15 within three years of the adoption of this Code."

16 The Comment 58-79 would add the
17 retroactive wording, and this was rejected by 25 of
18 the 27 voting, Mr. Fredenburg being one of the two
19 negative.

20 Much as I can ask, I urge you to support
21 the Technical Committee action even though I
22 haven't been real good with getting that today.

23 MR. RICKARD: Thank you, Mr. Mortimer. With

24 that, we will open up debate on the motion. Please

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1 provide your name and affiliation and whether
2 you're speaking in support of or against the
3 motion. Microphone 4.

4 MR. SWIECICKI: Bruce Swiecki, National
5 Propane Gas Association speaking in opposition to
6 the motion on the floor.

7 There is no need to put this retroactivity
8 date into the Code. As far back as I can go here
9 on my computer, there was five editions previous,
10 and that particular requirement was in there. I am
11 presuming it goes back even further than that.

12 Making the requirement retroactive will
13 not provide anymore support to a Code official that
14 wants to issue a citation based on this section.
15 So I urge you to support the Committee.

16 MR. RICKARD: Thank you. Is there somebody
17 standing at Microphone 5? Is there any further
18 discussion on the Motion 58-4 to accept an
19 identifiable part of Comment 58-79? Mr. Chair?

20 MR. MORTIMER: Nothing further.

21 MR. RICKARD: Seeing none, we will move to a
22 vote. Before we vote, let me restate the motion.
23 The motion on the floor is to accept an
24 identifiable part of Comment 58-79. Please record

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1 your vote. Vote 1 in favor of the motion, accept,
2 or 2, opposed to the motion, reject. 5 seconds.

3 Voting is closed. And the motion fails by
4 a vote of 49 to 44.

5 We will now proceed to the discussion on
6 Certified Amending Motion 58-5. I'm sorry, that's
7 right. The next motion in NFPA 58 appeared on our
8 agenda; however, the authorized maker of the motion
9 or their designated representative has notified
10 NFPA that they no longer wish to pursue this
11 motion. Therefore, in accordance with NFPA Rules,
12 Convention Rules 2.6, the motion may not be
13 considered by the assembly and is removed from the
14 agenda.

15 We will now move on to the next motion.
16 Now proceeding with the discussion on Certified
17 Amending Motion 58-6. Microphone 2, please.

18 MR. McTIER: I'm not sure I know exactly how to
19 handle this.

20 MR. RICKARD: Can you please identify yourself?

21 MR. McTIER: I'm Sam McTier with Propane
22 Technologies. 104 is related very closely to --

23 MR. RICKARD: Mr. McTier, we need a motion
24 first before discussion.

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1 MR. McTIER: Okay. I'll just make a motion. I
2 move that we accept 58-104.

3 MR. RICKARD: Thank you. There is a motion on
4 the floor to accept Comment 58-104. Is there a
5 second?

6 A VOICE: Second.

7 MR. RICKARD: There is a second. Please
8 proceed with your discussion.

9 MR. McTIER: 58-104 is very much related to
10 58-25 and is part of the overall problems we had in
11 both of these comments. So if we would pass 104,
12 why, we would end up with a mass confusion with
13 58-25, not a lot, but a certain amount. So I'm
14 trying to figure out what action to take.

15 We, in fact, had an outstanding majority
16 of the people through the ROC that all voted for
17 58-25 which we just closed down. So now we're all
18 in -- at least I'm in a mass of confusion on how to
19 continue. We can go -- approach this by going back
20 another route and going through the Committee with
21 a TIA and fix this. We already know we have enough
22 votes to pass that, I believe, based on the ROC
23 where we had 22 votes in favor of 58-25. But they
24 weren't votes. They were based on comments that

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1 were stated that they all agreed with Sam McTier's
2 comments on the ROC; therefore, we already have
3 11 votes. So with another 11, we have 22 which is
4 more than enough to pass everything. We ended up
5 now as a mass of confusion.

6 So I don't know how to approach it. We
7 can go to a TIA, which I have a problem with
8 because it takes forever, that it doesn't get
9 published in the Code; and, therefore, we have to

10 figure out how to pass the information on. I'm
11 quite sure we can pass this as a TIA for the
12 Committee. So do you have any suggestions?

13 MR. RICKARD: We're going to caucus for a
14 minute and see if we can come up with a suggestion
15 for you.

16 MR. MORTIMER: Did you hear about the one about
17 the dog? No. Hey, our Committee is fun.

18 MR. RICKARD: There really is basically two
19 options. One of them is to proceed with the vote
20 and see what happens; and the other one is you can
21 withdraw the motion and not pursue it and pursue
22 one of the other routes you discussed.

23 MR. McTIER: I think I would like to, although
24 I dislike the TIAs because they don't get

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1 published, except through the Internet and that
2 sort of thing, and don't get -- are not delivered
3 with the new Code books when they come out that it
4 gets lost in the shuffle someplace. So that's --
5 but I think that's a much better option than
6 leaving it the way it is.

7 So if I may, I would like to withdraw my
8 motion to accept 58 -- what's the number now? --
9 58-104, and we'll go through the TIA process
10 because I know we already have 22 people on the
11 Committee that agreed to it in the ROC. So how it
12 got changed -- including Mr. Mortimer --

13 MR. RICKARD: Thank you.

14 MR. McTIER: -- he agreed with it, and now it's
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15 taking an opposite position. So it's one of those
16 strange things.

17 So I would like to withdraw my motion to
18 accept 104 and we'll go through another route.

19 MR. RICKARD: Very good. The motion is
20 withdrawn. Thank you very much. So for the
21 record, we will not be pursuing Motion Sequence
22 Number 58-7 and we'll move on to discussion -- I'm
23 sorry, 58-6, and we'll move on to discussion on
24 Certified Amending Motion 58-7. Microphone 2,

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1 please.

2 MR. FREDENBURG: I'm Richard Fredenburg,
3 North Carolina Department of Agriculture and
4 Consumer Services speaking in favor of the --

5 MR. RICKARD: I'm sorry, we need a motion
6 first, please. We are at 58-7 now.

7 MR. FREDENBURG: Moving to accept
8 Comment 58-12.

9 MR. RICKARD: Is there a second?

10 A VOICE: Second.

11 MR. RICKARD: I have a second. Motion on the
12 floor is to accept Comment 58-112. Please proceed
13 with the discussion of the motion.

14 MR. FREDENBURG: Richard Fredenburg speaking in
15 favor of the motion.

16 A requirement of the LP Gas Code is to
17 have maintenance procedures and checklists. Also
18 contained in the same chapter is a requirement for

19 those who perform this test required by those
20 checklists to be properly trained in those
21 activities.

22 However, there is no explicit requirement
23 for the person who performs that checklist activity
24 to sign off as the one who did it in a way that

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1 would identify him or her later. Our inspectors
2 receive these checklists that appear to have been
3 checked off by the office staff from the office.
4 When the inspector asks for documentation to
5 demonstrate that a trained person performed the
6 checklist, they are challenged because there is no
7 explicit requirement for such documentation.

8 This proposal asks that a date and an
9 identifiable signature or initials of a properly
10 trained person be required when performing the
11 checks so an auditor can be assured that the
12 appropriate person performed the checklist.

13 The Committee's statement is that the Code
14 does not specify personnel actions or business
15 practices. I'm not asking for that but for a
16 document to demonstrate the requirements of the
17 Code or event and that a qualified person perform
18 the checklist inspections and actions. I'm asking
19 for your support in giving this assurance.

20 MR. RICKARD: Thank you. Mr. Mortimer, would
21 you like to offer the Committee's position?

22 MR. MORTIMER: Mr. Chairman, this matter
23 requests to accept Comment 158-112 which asks that

24 the Committee action on Proposal 58-168 be

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1 reversed. 25 to 2, again Mr. Fredenburg being one
2 of the 2, the Committee rejected this proposal
3 because the Code already contains minimum safety
4 requirements for installing, operating, and
5 maintaining LP Gas equipment under its scope.
6 Tracking specific personnel functions is a business
7 practice and is not appropriate for the Safety
8 Code.

9 In addition, 14.3.2.4 and 14.3.2.5 require
10 maintenance records to be retained. The owner or
11 operator is ultimately responsible for complying
12 with safety requirements. I urge you to support
13 the Technical Committee's work on this action.

14 MR. RICKARD: Thank you, Mr. Mortimer. With
15 that, we will open debate on the motion. Please
16 provide your name and affiliation and whether
17 you're speaking in support of or against the
18 motion. Microphone 4.

19 MR. SWIECICKI: Bruce Swiecicki, National
20 Propane Gas Association, speaking in opposition to
21 the motion on the floor.

22 Chapter 14 deals with maintenance and
23 operation procedures that affect both plants and
24 industrial plants and other similar facilities.

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1 Sections 14.3.1.2 and 14.3.1.3 already specify that
2 the persons who are doing the required maintenance
3 and periodic inspections must be trained for the
4 requirements to the Code.

5 So adding another requirement that an
6 identifiable signature and date must be affixed to
7 the maintenance record goes beyond really what the
8 Code should require. We've already got the
9 appropriate requirements in place, and I urge the
10 membership to support the Committee on this. Thank
11 you.

12 MR. RICKARD: Microphone Number 2.

13 MR. FREDENBURG: Richard Fredenburg, North
14 Carolina Department of Agriculture and Consumer
15 Services, still speaking in favor of the motion.

16 I was looking forward to what
17 Mr. Swiecicki had to say; and as he and
18 Mr. Mortimer pointed out, there is a requirement
19 for documentation, but lacking from that document
20 is any way to identify who performed the
21 inspections or maintenance checklist items, is that
22 really completing the documentation?

23 MR. RICKARD: Thank you. Is there any further
24 discussion on Motion 58-7 to accept Comment 58-112?

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1 Mr. Chairman, final thoughts?

2 MR. MORTIMER: I just hope Mr. Fredenburg
3 doesn't check on my prescriptions from my doctor.
4 No, nothing more. I urge you to support the

5 Committee action.

6 MR. RICKARD: Thank you, Mr. Chair. Before we
7 vote, let me restate the motion. The motion on the
8 floor is to accept Comment 58-112. Please record
9 your vote, 1 in favor of the motion to accept, or
10 2, opposed to the motion to reject. Please vote
11 now. 5 seconds.

12 Voting is ended. And the motion fails by
13 a vote of 49 to 45.

14 This officially concludes this portion of
15 the 2013 Annual Association Technical Meeting. I
16 want to thank you for your participation, interest,
17 and support, particularly those who hung around to
18 the very end.

19 I now declare this part of the meeting
20 officially closed.

21 (Off the record at 5:39 p.m.)

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1 STATE OF ILLINOIS)

2) SS:

3 COUNTY OF W I L L)

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5 ANNA M. MORALES, as an Officer of MR.
6 OWEN, says that she is a shorthand reporter doing
7 business in the State of Illinois; that she
8 reported in shorthand the proceedings of said
9 meeting, and that the foregoing is a true and

10 correct transcript of her shorthand notes so taken
11 as aforesaid, and contains the proceedings given at
12 said meeting.

13 IN TESTIMONY WHEREOF: I have hereunto set
14 my verified digital signature this 20th day of
15 June, 2013.

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